

A N.  
IMPARTIAL ENQUIRY  
into the  
Administraction of Affair's  
in  
ENGLAND.

With  
Some Reflections  
on the  
KINGS DECLARATION  
of July 27, 1683.

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*He who dissembles with God, is not to be trusted by men.* King James  
in his Answer to the two Houses of Parliament: Anno 1624.

*We is not King, but a Tyrant, who should not by Law.* Quoted by  
my Lord Keeper, in his Speech to the two Houses 1618, as a saying  
of King James's.

Printed Anno 1683.

IMPERIAL ENQUIRY

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**F**inding our selves not only oppressed, persecuted and destroyed in the most illegal ways, and by the highest Arbitrary methods, but misrepresented and accused in *Proclamations*, *Declarations*, and other Papers emitted by the King, as if we were *Rebels*, *Traitors*, and *Paricides*; we can no longer delay or forbear the asserting and vindicating our own innocency, and the informing the rational and inquisitive part of Mankind how falsely and unjustly we have been slanderd and traduced. Nor can we be blam'd by wise and discreet men, if in acquitting our selves from the crimes wherewith we stand reproached, we be necessitated to return and fasten the guilt and ignominy of these enormous offences upon our prosecutor's and accusers. And we are so far from conceiving this undertaking unjustifiabl<sup>e</sup> in it self, or from apprehending that it will be unacceptable<sup>e</sup> to the world; that we are not only fully convinced of the necessity as well as the lawfulness of it, but abundantly informed that Foreign Nations as well as our own have long expected our justifying our selves and undeceiving others, in as publick a way, as our Enemies have laboured to defame us and impose upon them. Nor were our silence hitherto to be accounted for and excused, but that we have been debarred and precluded all ways and means of manifesting our own innocency, and of laying open the fraud and the Tyranny of our Enemies. For to all their other unjust and barbarous proceedings against us, they have added not only the denyal of *liberty* to represent our grievances and oppressions by way of *petition* to themselves, but the *freedom* of the *press* whereby we might defend our own loyalty, or expose and detect their injustice before the world. For as they know that the whole reputation of their power, is to be ascribed to the tameness of the people that suffereth them to goe on without resistance, so their only hope of having their actions escape an universal condemnation and censure, lyes in preventing their being examined and arraigned. But tho it be our comfort and their dishonor that we are prosecuted unjustly, and made to suffer without a legal cause; yet we ought not so far to abandon and betray our selves, nor to humour and gratify our most mortal enemies, to continue silent under the calumnies wherewith they falsely and maliciously load us. And they must blame them-

selves and not us, and ascribe it to their oppressing us and not to our receiptment; if upon representing their principles, reporting their actions, and unmasking their councils and designs, they come to be more hated at home and despised abroad. Nor ought we to be esteemed injurious to his Majesty or the Government, if upon our drawing the Court of England in their proper and natural colours, and offering them to the view of the world in a just true light, they find the ingenuous, noble and vertuous part of mankind, instead of approving the Titles of *Rebels* and *Traitors* wherewith the King hath blazon'd many of the most Eminent as well as loyalest of his Subjects, begin to think that the only crime whereof these persons are guilty, is their having so supinely and tamely suffered their Religion to be undermined, their Laws trampled upon, and their Estates and Lives assaulted and destroyed. For as I can truly say, that I have reserved many things not unworthy to be known till a future opportunity, when I hope to give his Majesty the pleasure and diversion, and afford unto the World the advantage and benefit of reading the History of his life and Reign; so I have published nothing here but what was either preparative unto, or lyes in connexion with, or which is demonstrative of the Conspiracy of the Court against our Religion, Laws and Liberties, and of their design of murdering the most zealous Protestants of the Kingdom, and the chiefeest Patriots of our Rights and Priviledges. All therefore that I am responsible for, is that that things be related with truth and candor; but as for the deductions and inferences which others may make, it will be their concernment both to look that they be duly drawn, and that the foundation upon which they are raised, be able to support the weight of the superstructure. I were justly to be censured and condemned, should I either misreport the actions of so great a Prince, or relate them without attendance unto those Rules of modesty, which ought to be observed in our penetrating into the Councils and administration of Monarchs; but if I have been regardful of all the measures of ingenuity and candor as well as truth in what I deliver, I am not then to be accused, the some upon perusal of these papers shall instead of condemning us for the crimes wherewith we are slandered, think that the only infamy which we lye under, is that a Nation where there are so many wise and gallant men, do not only

suffer

suffer themselves to be rob'd of all that is valuable to men or Christians, but to be imprisoned, proscribed and destroyed, by a company of persons who were never judged to have too plentiful a share of prudence or courage.

Now tho the principal scope and design of these few sheets be to unfold and declare the nature and quality of the Government of England, and to show how far our Rulers have in their whole administration prevaricated from and acted directly contrary to all the fundamental Rules of the Constitution; yet it will not be amiss before we enter upon that Province, to enquire briefly into the nature of Government in general, and the Ends for which it was originally instituted, and to what limitations and restrictions all Authority is confined by the supreme Author and ordainer of it. For we shall by this not only find what all Nations have expected and claymed from their Governors, and how they have treated them upon a failure in, and acting oppositely to what they were primitively appointed for; but we shall have occasion also to observe how his Majesty, or at least such as act by his Authority, have not only violated all the pacts and obligations they are under by the fundamental Laws of the Land, but how they have endeavoured to subvert and defeat all the great and principal ends, for which Government it self was originally instituted and ordained. And as it is demonstrable from principles of Reason, and stands confirmed by the Testimony of Scripture, that all Government is appointed by, and all Ruling Authority derived from God; so it is no less evident both from the Laws of Nature and Revelation, that the ends for which Government is ordained, are the Glory of the Creator and the Good of Mankind. So that no Ruler can have any Authority above or beyond what God hath granted, much less can he rightly clayme a governing power independant upon the supream Lord, or for the withdrawing his subjects from the allegiance which they are bound to pay him. And therefore as no Prince can have Authority to command what God forbids, or prohibite what he enjoyns, because God can never Authorise any to act in opposition to himself; so whensoever a Prince becomes depraved to that degree of wickedness, as to apply and employ his power and interest to debauch and withdraw his subjects from their fealtie and obedience to God, or sets himself to extirpate that Religion which the

Lord hath revealed and appointed to be the Rule of our living and the means of our happiness, he doth *ipso facto* depose himself, and instead of being owned any longer for a King, ought to be treated as a Rebel and Traitor against the Supream and Universal Sovereign. And to resist such, is not to oppose Authority, but Usurpation; nor is the dethroning those who have invaded the Right and Authority of their Maker, a deposing of Governours, but a delivering our selves from conspirators against their as well as our King. Therefore it was, that in the *Jewish* Commonwealth, where God may be said to have presided in a peculiar manner, he took special care that upon the *inauguration* of their Princes, they should not only covenant to govern their people, according to the Laws which were prescribed and appointed for the Ruling of them in *Civil* things; but that they as well as their Subjects should solemnly engage to be the Lords people, and to persevere in their worshipping off and obedience to Him. Nor was it without cause that the Subjects were included in the same *Bond* of Allegiance to God with their Princes; for thereby they became instructed that they were accountable as joint *principals* with their Kings and Rulers for that Debt, which they were *mutually* as well as *severally* engaged into to their Maker. And it is the great concernment of Subjects both with respect to their welfare here, and their happiness hereafter, that they should be empowered as well to prevent the Defection of their Rulers from God, as to hinder their promoting and causing the Revolt of their people. For besides that the example of Princes would have a powerful and pernicious influence towards the infecting and perverting others; the Subjects being jointly included with their Rulers in the same Bond of fidelity to God, they are lyabl<sup>e</sup> to be punished for their Rebellion and Apostacy. Now how deplorable were the condition of Subjects, if they should stand obnoxious to divine judgments for the Apostacy of their Rulers, and yet be neither authorised to hinder it, nor permitted to withdraw themselves from obedience and subjection to them? But whatsoever our own tameness and folly, or the parasitical flattery of the Clergy may do, far be it from the Holy God to involve us under such doleful and inextricable straits. Nay his making us responsible for their Debt, is an empowering us, both to hinder their withdrawing their Subjects from their obedience to God, and to com-

compell them to pay the Allegiance which they owe, or it imports his vesting us with an Authority of saving ourselves harmless from their crimes by deposing and degrading them, that being the only way of standing no longer accountable for their faults. Nor hath this the least tendency toward the discharging subjects from their Allegiance to such Princes as are not enlightned in, neither have received the belief of the Gospel, provided they do not persecute their people for embracing it; much less is it calculated for the cancelling the Tyes which Subjects are under to Governors of different sentiments in the Christian Faith from their own, provided also that those Rulers do not seek to destroy them who are otherwise minded in matters of Doctrine and Worship than they are. But all that this is designed unto, is partly to state the Right and Liberty of Subjects towards such pretended Governors as seek to eradicate all natural Religion, and endeavour to corrupt and debauch the world in whatsoever either relates to the fear of God, or to Truth, Justice, Vertue and Honesty among men; and partly to declare by what allowance and authority, Subjects are to see to the preservation of the purity of Religion, when their Rulers have both sworn to God and stipulated to them to maintain it; and lastly to show what God allows unto Subjects, whose Princes seek to destroy them for differing from them in Religion, tho in the mean time they be found to entertain nothing in their belief, nor to practice any thing in their worship, but what is plainly revealed and commanded in the Scripture. And according to these *Maximes of Policy* as well as Religion, have the better and wiser sort of Mankind behaved themselves in all ages towards those who under pretence of having Authority over them, have sought either to entice or force them from the due Fear, Acknowledgment and Adoration of God, or laboured to destroy them for their Fidelity to him and their persevering in his Worship and Service. It was upon these principles that *Libna* lawfully revolted from *Jehoram*, because he had first wickedly revolted from the Lord. Nor can we by any other plea justify the insurrection of *Matthias Maccabeus* against *Antiochus*, who was by a long prescription as well as the submission and acknowledgment of the people their legal Ruler, but that he would have compelled them to renounce their Religion and conform themselves to the Idolatry of the Court. And to descend to Gospel times,



wherein nothing of that special *Theocracy* which the *Jews* were under, can be pleaded to supercede the obligations of Subjects to their Princes, as it may be supposed to have done there, if at any time the Commands of their Kings were found to interfere with the will and appointment of God; was not the resistance of the *Albigenses*, *Waldenses*, *Hussites* and many other some *Centuries* agoe, founded mainly upon this righteous and just motive, that they were persecuted and sought to be extirpated upon no other account, but because they differed from their Rulers and the generality of the Western Nations in Religion, and would not believe as the Church of *Rome* and the Kings and Princes in *Europe* in those dayes did. Nay have not the several later wars of the Protestants in *France* and *Germany* as well as other places, been undertaken in a great measure upon this account, because neither their peaceable and righteous behaviour towards their Neighbours, nor their Fidelity and Obedience to their Princes, could save them from being ruined and destroyed, unless they would become disloyal to God and unfaithful to their own soules, in renouncing their Religion, or forbearing to worship their Maker and Redeemer conformably to the Ordinances & Institutions of the Gospel. Nay is it not a principal ingredient into the justice as well as cause of the present Hungarian revolt from the Emperor, that the people were persecuted for their Religion, not only contrary to the Laws of Nature and Revelation, but to the agreements, covenants and oaths of his Imperial Majesty and his Royal predecessors. It is true that some of the managers of those wars do through want of success in their undertakings lye under the brand and undergoe the infamous titles of Rebels and Traitors; but this is not more than what in all civil and intestine quarrels falls to the portion of the weakest, tho for the most part the fault is not in the injustice of their cause, but in their not being furnished with force sufficient to justify it. For can there be a greater evidence of the righteousness and equity of their cause, who endeavour to repress the violence of Rulers that persecute them upon the account of Religion, than that the most celebrated Princes upon the file of History, have espoused their quarrel and engaged their Arms in their behalf. What is it, next to his turning Christian, that *Constantine* the Great is so famous for, as that being Emperor in the *East*, he employed his Power and Force against *Lu-*

*ominus* over whom he had no Authority, and this upon no other motive, but because *Lucinus* banished, tortur'd and destroyed those Christians in his own part of the Empire, that would not abandon their Religion, and conform to that Idolatry which had then the whole legal Authority of the world? What praises have Ecclesiastical Writers as well as others, adorned the memory of *Theodosius* with, for the war which he commenced against *Cosroes* King of Persia, upon this inducement that the said Monarch sought to ruine and extirpate those Christians in his Dominions that would not renounce the Gospel? The sweetest odors which embalm the Ashes and give a fragrancy to the Name of Queen *Elizabeth*, are the honors and commendations entailed upon her, for assisting foreign Protestants to maintain their Religion by force when they could not enjoy it by favour, and inabling them to with stand the violence of their Princes who persecuted them upon the account of their Faith. The actions of those mighty Monarchs in favour and aid of those that were persecuted for Religion, proclaim to all the world how lawful they judged it for Subjects to defend themselves against, or disclaim a subjection unto their Princes, when they went about the forcing them to renounce their Allegiance to God, or sought to destroy them for their fidelity to him. And as they have given us to understand by these carriages of theirs, that the Authority of Sovereigns extends only to mens persons and estates, but that their consciences are a province over which no man can claim a jurisdiction; so they do in effect say that whosoever will invade Gods Right doth so far forfeit his own, and that when Princes will be content with no less than the Scepter of Christ, they then deserve to have their own wrested out of their hands. Now tho it may seem a detracting from the value of the Testimony of these wise as well as great Potentates, to seek countenance to the same Truth from the opinion of lesser men; yet it will not be amiss, if it were but to shame and reproach our flattering modern Theologues, to quote the judgment of that antient Ecclesiastical Author *Sozomen*. This pious and learned person, having related the death of *Julian* and intimated that he was supposed to have been slain by a Christian soldier that marched under his own Banners; he adds, *Let none be so rash* Hist. lib. 6. cap. 2.  
*as to condemn the person that did it, considering he was thus courageous in behalf of God and Religion.* Surely *Sozomen* thought that  
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a Prince persecuting his people for their loyalty to God, was absolving them from all obligations and ties, otherwise he would never have spoken so favourably of this man who was not only bound to the Emperor by the Fealty of a subject, but by the super-added tie of a special oath as one inrolled under his ensignes.

And if Princes ought not, neither have any Authority to persecute their Subject for differing from them in revealed Religion, but may be lawfully withstood in all attempts of nature; We may easily imagine that they can derive no legal power or jurisdiction from God to debauch men from natural Religion, but may and ought to be resisted, if they oppress their Subjects for retaining a Fear and Reverence of a Deity, or for being regardful of Chastity, Temperance, Justice and Truth. For howevet necessary Revealed Religion is to our acceptation with God here, and fruition of Him hereafter, yet it is not so indispensably needful, to the peace and subsistence of Societies as Natural Religion is. There have been flourishing Kingdom's where the Bible hath not been received, but no State did ever thrive or was successful and temporally happy, where the Dread of a Deity, and justice and moral honesty among men, were despised and contemned. Tho every vice in Governors be not a forfeiture of their Authority, yet to say that none is, gives a security to Magistrates both to be Atheists and despise the Universal King, and to poyson and debase mankind with brutish and unnatural lusts. If God in the erection of the Jewish Government, did not only provide that *blasphemers* and open *despisers* of a Deity, but that murderous and incestuous persons, should not be suffered to live; he never surely intended that mendably guilty of those crimes should be esteemed capable to Rule, and allowed an impunity by virtue of their office to practice those abominations. Nor hath there been any Nation, but what at one time or another hath called their Princes to an account, when they have found them to be Ravishers of women, Polluters of Families, and Corrupters of mankind. Would his Majesty but redeem so much time from his pleasures and lusts, or from forming sham plots against the Religion, lives and liberties of his Subjects, as to perule the History of the Kings of Scotland; he would not only find how that several have been deposed and confined to prisons, but that diverse have been put to death, for adulteries and incests as well as for oppressing

pressing their Subjects in their persons and estates. At least he might there observe, what influences the Adulteries of his Grand-Mother Mary had upon her being deposed from the Crown, and what Occasions they proved of all the future misfortunes of her life. Or would he but cast his ey upon the Histories of the *British* and *Saxon* Princes, he might there learn how some of those Kings have been dealt with by their Subjects for impieties against the law and light of Nature, and particularly that *Vortigernus* was dethroned for incestuously marrying his own Sister. Nor did blasphemies, perjuries, unnatural mixtures, polluting Matrons, ravishing Virgins, plotting against the lives of innocents, and murdering noble and vertuous persons by *posson*, *rafer* and *fillets*, use to escape the animadversion of the generous part of mankind, till Bishops and Priests had to the reproach and dishonor of the Christian Religion, made their persons sacred, albeit guilty of adulteries incests and murders. It we would understand the sense and opinion of the ancient *virtuosi* and *Hero's* in this matter, we may learn it from the answer of *Subrius Flavius* to that Monster *Nero*. For being challenged why he had with *Piso* and others, contrary to the allegiance of a Subject and the Oath of a *Tribune* conspired against him; he made him this Roman and manly reply, *that there had been none more faithful unto him while he de-* Tack:  
*served to be beloved, than he was, but that he began justly to hate him, after he had turned Paracide, Stageplayer and a Burner of Cities.* And of alliance to this as well as pertinent to the same purpose, is the Reply of *Sulpitius Asper* to the same Emperor. For being ask'd why he had with others entred into a combination against him; he made this bold and free return, *that he knew not how any other way to put* idem.  
*a stop to his villanies, and redeem the world from the infection of his example and the evils which it groaned under by reason of his crimes.* Now would the King of England and his dear Brother, wouch safe to consider that all their Authority is from God, and that they can have none against him. And would they at the same time but review what their endeavours have been, to bring all the Laws of God whether of Nature and Revelation into contempt, and with what industry they have laboured to poyson their Subjects with principles of Atheism and immorality; they will instead of finding cause to complain of the litle murmurings and modest discontents of their people, be furnished with an occasion of admiring their

patience and softness in permitting them to goe on so long in rebellions against Heaven, and in corrupting and debauching three famous and once vertuous nations. For to adjourn till hereafter, what their be haviour hath been against the *Christian Religion*, and how they have uncessantly laboured to supplant the Gospel as well as overthrow *Protestancy*; we shall here represent what their endeavours have been to eradicate *Virtue*, and to banish *Truth, Chastity, Justice*, and *Temperance* out of their Dominions. They were no sooner returned from their banishment, but they made it appear, that instead of having learned Righteousness and the Fear of God by their sufferings, they had only employed themselves to drink in the vices of all the neighbouring Nations where they had wandred. So that from the very first houre of his *Majesties* arrival into his Kingdoms, he set himself by his Example, persuation and influence, to withdraw men from the Laws of Nature and Rules of Morality, and to pollute and infect the people with all sort of crimes and wickednesses. For execrable Oaths were the chief Court acknowledgments of a Deity, and Fornications and Adulteries the Principal Tests of the Subjects Loyalty and Obedience. And whether it was to affront God who had preserved and restored him to his Throne, or to be revenged upon the Nation for inviting him founanimously to weild the Scepter of his Ancestors, I can not tell; but this I am sure off that he hath made it his constant business to live in defiance of the Dread and Authority of God, and to poyson and corrupt the minds, and deprave the manners of the English people. Against the very first night that his Sacred Majesty was to lye at *Whitehall*, there was care taken to have my lady *Castlemain* seduced from her loyalty to her Husband, and enticed into the Armes of this happily restored Prince. And after he had corrupted and polluted an incredible number both of married and single Women, and defiled the Beds and deflowred the Daughters of Great as well as mean persons; how soon did his Fornications and Adulteries arise and commence into incests. It is well known what the Kings familiarities were with his Sister *Henrietta* at *Dover*, where the D. of B. kept the Dore; and that these embraces cost the lady her life at her return into France. For tho she might seem to have atoned for the crime, and to have merited forgiveness from her Husband, by the league which through  
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her intercessions she had prevailed upon his Majesty to conclude with the French Monarch; yet jealous and incensed *Orleans* could not obtain of himself to remitt the indignity and pardon the offence. But least this instance should not be sufficient to demonstrate the incestuous impurities of the Court; we will subjoin an other, only with this addition that to incest there was joined the profanation of the Sacred Rites and Divine Ordinance of Mariage. For our Defender of the Faith was not only pleased to take the *Dutchess* of *Portsmouth* into his Bed, whom all inquisitive persons believe to be his Sister begotten by my Lord *St. Albans* upon the *Queen Mother* after the death of the late King; but he was solemnly married to her at my Lord *Arlingtons* house, by the Common prayer Book and the Offices and Ceremonies of the Church. And as if it were not enough for his Majesty, to be guilty of personal incests, he hath involved his Bastards or natural Children under the infamy and guilt of the same crime. For he hath in the face of the world married a Daughter, whom he had adulterously begotten upon my Lady *Wood*, to one of those sons whom he had after the same legitimate manner by the *Dutchess* of *Cleveland*. Nor hath it been safe for any, how much soever obliged thereunto, to admonish him for, or gainsay and controll him in his lusts. For it was for an act of the highest friendship, as well as most indispensable duty of that nature, that the King persecuted the last Marquess of *Argyle* with so much violence and malice till he gott him destroyed. And seeing the Story of that affaire is neither so well nor generally known as it deserves to be; I shall therefore with all possible sincerity relate it, and lay it briefly open. The King at his being in Scotland in the year 1650. having to the many Fornications and Adulteries, which he there committed, added the perpetration of a Rape upon a Modest and Vertuous Woman; it was judged needful by the sober Noblemen and Ministers, that the danger as well as the sin and offence of that crime should be privately represented unto him. And others being desirous to decline the office as apprehending it would be ungratefully received by his Majesty, it came to be devolved upon that pious and excellent person. For they supposed that if he hearkned to any, it would be to him, and that not only by reason of his Quality, but because he had been the chief Instrument of perswading and prevailing with the Parliament to call him

home to inherit the Crow of his Ancestors, when most of the Members were thinking to preclude him, and settle the Nation without a Monarch. But altho that Noble and Wise Person managed the Address which upon that occasion he made unto the King, with the highest piety of a Christian, and greatest submission of a Subject; yet his Majesty held it so piacular a thing that any should rebuke him for, or endeavour to withdraw him from his pollutions and impurities, that he resolved nothing should expiate the offence but the blood of that Great and Vertuous Nobleman. It is true, he was destroyed upon a pretended *Legal* Process; yet as the matter of his Accusation (which was only corresponding with the English, when the whole Kingdome had submitted unto them) made his Condemnation to be esteemed unjust by all Rational men as well as by Lawiers; so his being pursued meerly upon his Majesties instigation and that for the reason which I have specified, and being voted guilty only in compliance to his will, renders his blood chargeable upon the King, and leaves the guilt of it upon the Throne. And the getting him put to death by a seeming course of Law, is so far from excusing him from, or extenuating the guilt of that murder, that it is rather an aggravation of it before God and Men, in that the Law, which is designed for the security of mens lives, was here wrested and perverted to their destruction. With what face now can this Gentleman pretend to Rule by vertue of an Authority derived from God, who pollutes Nations thus with Adulteries and incests, and lives in an open defiance of all the Laws of the Universal King. O poor and deplorable *England*, where through the example, and influence of thy Prince, villanies are become the only fashionable Vertues, and to exceed others in uncleanness and debauchery, is to purchase the countenance of the Government, and to possess the special favour of the Monarch. How art thou degenerate from what thou wast! When the being adulterous and prostituted to all impurities, is held the most effectual recommendation to preferment; and to be extreemly vicious is the only means to be advanced both in Church & State. The celebrated and often repeated *Maxime* of thy King is, that all mankind is base and villanous; and that when any decline being criminous in the worst kind and degree, it is not from principles that they do so, but upon the score of reputation and interest. And tho some may think that



that this signifies no more than the publication of his Majesties own good Nature and temper, and is only the drawing other mens pictures by his own Original; yet his Subjects over whom he Rules, as well as Forraing Princes and States with whom he hath occasion to correspond and treat, ought to be apprehensive of the effects which so unjust and barbarous a Sentiment must be followed and attended with. Nor is it out of any malice to his Majesties person, or dissatisfaction with his Authority, that these excesses in immorality are layd open, but to show by our concealing these things hitherto, how unjustly we are asperled and accused in his Majesties late *Declaration*, as if in *libellous pamphlets we had been for several years last past endeavouring to render his Government odious*. Only we do withall hope, that from hence the world will become fully convinced of the patience as well as loyalty of the people of England, in that notwithstanding the Kings and Court's wallowing in these impurities, they have not only pay'd him constant and indisputed obedience, but gratified him with an addition of priviledges and power, and heap'd upon him an establishment of Treasure and Revenue, that none of the most famous Kings of England were ever allowed or possess'd off.

Having thus briefly stated and declared, that all Rulers receive their Authority from God, and that therefore they can have none for the withdrawing men from their Allegiance to the Universal Sovereign, nor claime a dispensation by vertue of their Magistracy to violate the fundamental Laws of Nature, and debauch and corrupt those over whom they are sett; we shall in the next place take into consideration, for what special *End* God hath ordained Government in the world, and conveyed Authority unto Rulers and Princes. Nor can there be any thing more evident from the Light of Reason as well as Scripture, than that all Magistracy is appointed for the benefit of mankind and the common good of Societies. God never gave any one power to reign over others for their destruction, (unless where he had devoted a people for their sins to ruine) but on whomsoever he confers Authority over Cities or Nations, it is with this conditional *proviso* and limitation, that they are to promote their prosperity and good, and to study their defence and protection. All Princes are thus far *passional*, that they are obliged by the High and Absolute Sovereign, from whom they derive

their Authority, to Reign for the peace, profit and happiness of these over whom they are exalted and established. Nor is it needful that there should be any previous agreements between people and Princes as to this matter, it being fixed and determined by the Laws of the supream *Legislator*. And whosoever refuseth to perform this fundamental condition, he degrades and deposeth himself, nor is it rebellion in any to resist him. Whensoever Princes cease to be for the common good, they answer not the End they were instituted unto, and cease to be what they were chosen for. It were more eligible to live in Desarts and Wildernesses, than to enter into Societies, were it not on the prospect, and for the hope of preservation and safety. All mankind must be supposed infatuated and mad, if they should come under Authority in order to being in a worse condition than antecedently they were. It is the Universal Dictate of Nature, that it can not be a *City*, where all are subjected and made subservient to the greatness and pleasure of one Man. And whosoever under the vaile and palliation of Government become injurious to the community, they list themselves in the number of Enemies, and may be dealt with after the manner that such use to be treated. The Right which we have to our own safety, is not a Gift or Donative of Kings, nor held by concession or indulgence from them; but it is vested in us by God, and to be cherished and maintained as a *Depositem* from Heaven. And albeit men may resign to Princes, a power of disposing all that is their own; yet they can not grant them a Right to Rule over them as they please, God having precluded them from the Alienation of that, by the reserve which he hath made in his Universal Laws, where he hath ordained and declared that Magistrates have no Authority but for the good of their people. Men may from supineness or a servile temper, and sometimes upon other motives and considerations, permit and suffer Kings to tyrannise over them; but as this gives no Authority or jurisdiction to Princes to do it, so they alwaies retain a Right and Liberty to redeem and vindicate themselves, whensoever they shall think fit or see occasion. This they can neither forfeit by the invasion or usurpation of Monarchs, nor deprive themselves off by disuse or want of claym for a time; but as the Right of enjoying peace, safety, and the good of the community by and under Rulers, stands preserved for them by  
 God



God in the first and essential Laws of Government, so they may challeng these things, and enter their action against invaders at what time soever they please. This is no more than what just and wise Princes have themselves acknowledged; witness that of *Trajan to Subramm*, when he delivered him the *Badg* and *Ensign* of Commander of his Guard. *Take, sayes he, this Dagger, which you are to use for me, if I govern well, but against me, if I Rule ill.* Of affinity to which was that saying of *Adrian*, *that he would so manage the Sovereignty, as that all men should know it was principally for the good of the people, and not his own.* *Salus populi* hath been alwise held by those that have been either wise or honest, to be *Suprema lex*. And as the safety of the people is the Supream Law of Socities; so it supercedes and cast's all Laws that are, or can be made to the contrary. This Doctrine hath not only been received and approved by those that were learned and vertuous among the *Greeks* and *Romans*; but it hath been the common opinion of *Civilians* and all Writers of *Politics* in every Christian Nation. Nor hath it been opposed by any but some few little pedantick *Theologues*, who are willing to have Princes enjoy an arbitrary power over the Fortunes and Lives of men, that they may be protected by them in the exercise of a Tyranny over our Consciences. Nor can they cast a greater dishonor upon the Gospel, whereof they pretend to be dispensers; than to say that while by the Law of Nature it was lawful to resist Tyrants, we are bound up by the Christian Religion from withstanding their cruelty. The Laws of God do not interfere one with another; and therefore tho the Laws of Revelation may discover our duty in many instances which that of Nature could not do, yet it can lay us under obligation to nothing that contradicts and crossleth that Original Law. It would be endless to quote the Testimonies, which the Writings of Philosophers and ancient Statesmen furnish us with to this purpose. *Cicero* being speaking of the slaughter of *Caesar*. In 1. *Thillip*, *files it a famous and divine Fact, & positum ad imitandum.* When the *Pretorian* Souldiers were tumultuously searching after those that killd *Caligula*, *Valerius Asiaticus* the Senator cryed out aloud, *that Sueton*, *be wis'd he had done it*; and thereby composd both their clamour and stopt their rage. They that in *Greece* destroyed Tyrants who sought the ruine of their Countrey, have not only been generally esteemed to have done a justifiabl Action; but have in diverse Cities

ties had *Statues* erected to them as persons who had merited highly at the hands of Mankind. For Treason can be perpetrated only against him that Rules over a people for their safety and good, and who Governs them according to their Laws; but it can not be committed against one, who endeavours to overthrow all Law, and seeks the ruine of his Subjects. Nor hath there been a Nation in the world, that hath not either resisted, opposed, or kill'd Tyrants. The Senate of Rome did often approve the Fact, tho done without their order and sometimes but by private hands. As upon the Slaughter of *Commodus*, instead of Revenging it, they decreed that his carcass should be exposed, and torn in pieces. Sometimes they ordered before hand to have it done, and gave commission to persons for the doing of it. As when they condemned *Didimus Julianus*, and sent a Tribune to slay him in the Palace. Nay they have gone so far, as in some cases to appoint rewards to such as should kill those Emperors that trampled upon their Laws, and murdered vertuous and innocent people. Witness that sentence of the Senate against the two *Maximini*, *qui eos occiderit primum merebitur*. If we look into the Kingdoms but of Europe, and that only since the world turn'd Christian, we can not miss of Examples, either of deposing, resisting, throwing off, or putting Tyrants to death. In *Scotland* alone, there have been above fifty of their Kings, that have been either dethroned or imprisoned, or slain, and several of them upon no other account than that of their oppression and Tyranny, and for pursuing the destruction of their Subjects. And altho possibly no Nation hath been more patient and merciful towards Bad Kings, as well as more pious and loyal towards God; yet they have in all former times so well understood the Right which they had, and the duty which they owed to their own preservation, as that they seldom failed of calling the exorbitantly Flagitious, and extremely cruel to an account. And albeit in stead of condoling or avenging the death of the Tyrannous, they have often both excused and justified it; yet no Kingdom hath inflicted severer punishments upon the Murderers of Just and Righteous Princes. And therefore tho they did neither enquire after nor animadvert upon those that slew *James* the 3<sup>d</sup>, as having been a flagitious and tyrannous King; yet they did by most exquisite Torments put them to death who slew *James* the 1<sup>st</sup>, who had been a wise, vertuous and just

*Emperid.*

*Capitolin.*

just Monarch. It were to enlarge these sheets beyond the bounds allotted unto them, should I call over all the instances of this kind which the Histories of Forraign Nations supply us with; and therefore I shall content my self, and beg the Reader would be satisfied, with the recollection of two or three Examples more of this nature. Did not the *Swedes* within the compass of one *Century*, depole and banish the two *Christienn's*, and dethrone and imprison *Ericus*; and all this for their oppressions and Tyranny, and for pursu'ing the destruction of their Subjects? And did not the *Portuguisers* but a few years agoe, lay aside and confine *Alphonsus* for his Rapines and Murders? Nay have not several Nations not only opposed the violence of their Prince by armed force, but for their own preservation and security for the future, made an alteration and change in their Governments, from Monarchies into Commonwealths? It was upon the account of the Tyranny of the *Austrian* Princes over the *Switzers*, that those stout and martial *Cantons* shook off the Rule and Government of that Family, and established themselves into a *Republick*. And for the same cause did our Neighbours the *Dutch* undertake and manage a long and expensive War against *Philip* the II. and III. Kings of *Spain*; and when those Princes would not condescend to govern them according to their ancient Laws, and Rule for the Good of the people; they declared the King of *Spain* to be fallen from the Seigniorie of the *Netherlands*, and erected themselves into a flourishing and opulent Commonwealth. And seeing the Words of the General Estates in the Edict which they published upon this occasion, are not only exceeding weighty in themselves, but highly suitable and pertinent to what we are discoursing; it will not therefore be amiss to transcribe some of them. *It is well known, say they, that a Prince and Lord of a Countrey is ordained by God to be Sovereign and Head over his Subjects, to preserve and defend them from all injuries, Force and violence: and that if the Prince therefore faileth herein, and in stead of preserving his Subjects, doth outrage and oppress them, depriveth them of their priviledges and antient customes, commandeth them and will be served of them as slaves, They are no longer bound to respect him as their Sovereign Lord, but to esteem of him as a Tyrant; nei-*

*Crimeson's  
Hist. lib. 12.*

*ther are they bound to acknowledg him for their Prince, but may abandon him, &c.* And with this agrees the opinion of that great and fa-

mous person, *William Prince of Orange*, in his Answer to the *Edict of Proscription* published against him by *Philip the second*. There is, sayes he, a *Reciprocal Bond* betwixt the Lord and his *Vassal*; so that if the Lord break the Oath which he hath made unto his *Vassal*, the *Vassal* is discharged of the Oath which he hath made unto his Lord. So righteous and just a cause, have even Princes themselves judged the resisting a Tyrant to be; that the most deserving and Celebrated Monarchs on the Roll of Historie, have espoused the quarrel of oppressed Subjects, and sought to deliver them from the power and rage of those that Tyrannised over them. It was upon this ground that *Charles the Great* undertook a War against the *Lombards*, and that *Philip and Lewis* of France assisted the *Barons* of England against the King *John*. For this reason did *Gustavus Adolphus* march into *Germany*, that he might deliver the Opprest Princes and Cities, from the Bondage and Slavery which *Ferdinand* the Emperor had brought them into. How observable are the words of *Tamerlan* upon his advancing against *Bajazet*; *I God say's he, to chastise his Tiranny, and to deliver the afflicted people*.

It being then declared and we hope somewhat enlightned, that all Government is ordained for the good of the people, and that when Magistrates cease to Rule for the protection and happiness of their Subjects, they faile to be what they were appointed unto: we shall now with his Majesties leave enquire a little how far He and the Court of England may be concerned in this, and whether they have in their administration complied with the great End for which all Authority is conferred upon Princes. Nor ought the King to blame us, if upon finding our selves proclaimed and published for evil persons, who have misrepresented his Actions to the people; we do ourselves that Right as to acquaint the World what his Actions have been. And we hope it will hereby not only appear, that his Actions have been such, that the worst character fastned upon them, doth not deserve the Censure of *misrepresenting them*, but that we have been modest, even to the being injurious toward the Nation, in concealing so much of them as we have hitherto done. Whether the unaccountable Fondness he had while a Child to a *wooden Billet*, without which in his Arms he would neither goe abroad, nor lye down in his Bed; was a preface of the Blockish sort of people he would in his riper years addict himself unto;

Declarat.  
July 27.

unto; or whether it forebode, that he would afterwards rather strive to Rule his people by a *Club* than a *Scepter*, I can not tell; but this I am sure off that his carriage since, justifies the probability of making either of those conjectures of his genius and temper, from the early and immoderate amour he took to that peice of wood. The throne was no sooner empty by his Fathers death, but even before he could sit down upon it, he gave us a discovery of the complexion of his Mind, and what sort of people were during his Reign to have the principal room in his love and Trust, and by whom he hop'd in due time to tyrannise over his English and Scottish Subjects. For when the Parliament of Scotland had sent to him as far as the Isle of Guernsey, to treat about his being received to sway the ancient Scepter of his Predecessors; he would not so much as transact with them, till he had first sent to Ireland to see whether those Rebels who had massacred 200000. Protestants, were not in such a condition as that he might cast himself upon them, and by their assistance and means conquer his other two Kingdoms. But that failing, through their being in a fair way to be subdued themselves by the Forces of the Commonwealth of England; he was pleased at last to entertain the Scotts overture, and accordingly removed to Breda, whether he invited them to send their Commissioners to wait upon him. And even there so full was his mind with the thoughts of *Despotic* absoluteness, and the purposes of introducing Popery into his Dominions, that had it not been for the *Prince of Orange*, he would never have complied with the Terms which they had order to propose, tho they were no other, than what were necessary for the security of their Lives, Liberties, Laws and Religion. And how he hath since observed them, or answered the end unto which Government it self is ordained, may be easily understood by his many acts of barbarous Tyranny over the poor people, and the slavery under which the whole Nation doth groan. But seeing his Majesties Administration over the Kingdom of Scotland will come afterwards under a further consideration; we shall in this place therefore only mention some few things, by which all mankind may know, whether he hath Ruled there for the Subjects safety and good, or whether he hath not in the whole exercise of his Authority, designed and pursued their ruine. How many thousands of the most



godly and industrious people of the Nation, are driven from their Habitations, only because they refuse to hear the comfortable Clergy, while in the mean time all the Papists are not only indulged, but encouraged and advanced? Nor are they to be easily reckoned up, who have been seized, and imprisoned for months and years, without any indictment or legal process against them. How many have been cited to Courts, against whom they had nothing to charge, only in hope to obtain an advantage against them, as supposing that they would not swear. How are persons required not only to accuse themselves, but put upon the Rack and Torture, when there is not so much as a foregoing presumption of their guilt? What advantage did they take of the insurrection in 1666. to bring down an Army of barbarous Highlanders to spoil and ravage whole Countreys. For their method is first by oppression to drive people to defend themselves; and then to destroy them under the pretence of having been in Rebellion. It is most evident by a saying which I shal here mention of the Duke of York, that they long for such an opportunity, in order to have some grounds to extirpate all that refuse to be Papists and Slaves. For having one day character'd *Sober Dissenters to be worse than the wildest, he added that if he might have his wish, he would have them all Turn Rebels and goe to Arms.* Nor is it to be expressed how many are impoverished and ruined upon the occasion of the rising in 1679. even of those that were so far innocent of it, as to have marched under the Kings Banners against them that were up. For having made it Criminal to entertain or discourse with those poor Soules, whom they themselves have partly deluded and trick't, and partly by rapine and oppression forced into the field; they thereupon imprison and ruine vast numbers for the horrid crimes, of having seen or spoken with some of them, or because they did not discover or apprehend them when they fancy they might. So bold and impudent are they grown in their design of ruining that poor Nation, or extirpating all that are either honest men, or Protestants out of it, that they do not think fit any longer to hide or conceal it. Witness as well that speech of the present Lord Chancellors one day at the Council Board, *that there was not an honest man to the west of Edinbrough, but that they all were Rebels;* As that saying of the Duke of York to the King himself, *that*

it would never do well, till all on the Southside of Forth were made a hunting field. For which barbarous saying being neither punished nor rebuked by his Majesty, I may boldly say that it is thereby become the Kings own. And as we have thus seen, how ill they have consulted the peace, happiness, and prosperity of their Subjects in their Government over Scotland; so upon examination, we shall not find, that they have much better studied the good and safety of their people in England. It was a plain indication of what we may expect from his Majesty, that soon after his Return, he justified the bloody Massacre committed by the Papists in the year 1641. in *Ireland*. For the Lord *Antrim* appearing at the Court of *Claymes* guilty of those execrable Murders and of that horrid Rebellion, and being thereupon to forfeit his Estate as he justly deserved; the King by a Letter under his own hand as well to the *privy Council* as to that Court, avowed that whatsoever the said Lord had done, it was by Commission and Authority from his Father to do it. Whereby as he hath instructed us in a matter in which before we were doubtful; so he hath made his Father, (in avouching his Authorising that bloody Massacre) the greatest Tyrant that ever Raigned. And if this be true that his Son has charged upon him, there is as little credit to be given to the Scaffold words of some Kings, as to the Tyburn Speeches of Priests and Jesuites. Nor did that Martyr die so innocent, as his friends had hop'd. But could there be a greater evidence of the Kings seeking the destruction of his Subjects, than his being conscious off and accessory to the burning of London. Nor can it be parallell'd by any thing of that kind; but by Nero's firing Rome. With what pleasure did his Majesty look upon these Flames, and how carefully did he employ his Guards to hinder the people from removing their goods. All his trouble was, that the whole they had, did not perish in the same fires with their houses. How faithfully did he and his Brother, see to the dismissing and discharging diverse that were taken in the very Fact. The people were ordered to bring all they apprehended to *Whitchehal* and *St. James*; but it was not that they might be kept, but to reward the good service they had done, and to give them an opportunity to Escape. The Committie of Parliament appointed to inspect the fire, traced it so far, that they behoved to let it alone, unless they would have proceeded to arraign the Duke and charge the King I tremble to think



think of the informations given to the Chairman of that Comittie, which cost the poor Gentleman his life, least by discovering what he had learned, he might stain the honor of the King and endanger the life of the Duke. And I am much mistaken, if some of those that have been guilty of Nero's Crime, come not at last to Nero's Fate. There remained nothing to be done after this, for the showing how that instead of Governing for the good of his people, he intended to Rule only for their hurt; but that having consumed their dwellings and Estates, he should in the next place either by clandestine or open way's, attempt upon and seek to destroy their lives. That therefor which we shall in the second place lay open, is the Assassinations and Murders, whereof He and his Darling Brother have been guilty, and what have been their Conspiracies against the lives of multitudes, which only the mercy and providence of God could, and have prevented. Nor shall I insist upon the Death of that Noble person my Lord *Lucas*, though in all probability it ought to be *filed* to the account of his Majesty and his Royal Highness. Yet seeing I have no other Evidence of that but vulgar *Fame*, I will not be so injurious to them, nor unjust to my self, as to brand them with it. But as to the barbarous assassination committed upon Sr. *Edmond Bury* Godfrey; it is certain that it was done by the countenance and connivance of the King as well as by the contrivance and express command of the Duke. A little opening of the cause and occasion, and a short relation of the effects consequences and Events, which ensued upon it; will both enlighten us in the Truth of this matter, and confirm our Belief concerning the Authors off, and accessories to it. That worthy Gentleman had received an information upon Oath from Dr. *Oats* about a plott of the Papists against our Law, Lives and Religion, and that the Jesuites in order to make way for *York's* ascent to the Throne, (whom of the two Brothers they took to be most zealous to their cause) had designed to kill the King. And finding something in the Deposition to reflect upon Mr. *Coleman*, with whom he had an acquaintance and familiarity, he thereupon took an opportunity of letting him know what information he had received, and of telling him that the way to justify his own innocency, was to contribute all his endeavours and assistance to the hindring and preventing so bloody a design. But Mr. *Coleman* instead of *gain saying* the

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Truth of those things which the Justice related, or of offering his endeaours to obstruct the procedure, and defeat the success of the plot; he not only acknowledged that there was a conspiracy against our Laws, Liberties, and Religion, but that it was advanced so far, and seconded by persons of that quality in the Nation and Figure in the Government, that there was no possibility to give a lett or disappointment unto it. And particularly he told him, that the King was the principal Author, and Chief Promoter of the whole design of overthrowing the Protestant Religion and altering the Government. Which *Coleman* calling to remembrance after his commitment to *Newgate*, and considering thereupon that *Sr. Edmond* would make a second witness against him; he therefore not only gott the Duke to be informed of his own danger, but that his Highness and others whom in conversation with the justice he had mentioned, would be brought upon the stage. To which he received from his Highness this return, that he should not be apprehensive of any danger from *Sr. Edmond*, seeing their should be a way found of preventing his hurting *Coleman* or any Body else. And that he was thereupon barbarously murdered we all know, but we have hitherto wanted the honesty and courage to make *Whitehal* and *St. James's* answer for it. Was it not at the Gate of the Kings Palace that this assassination was committed, and was not the murdered Body concealed for several dayes in some of the Apartments of *Somerset* house. By whose authority but the Kings, could the Gate be so strictly guarded all that time, and the people denied the wonted liberty of access into the house? Nor would the *Queen* and *Dutcheß* of *Portsmouth* have ventured to goe and view the Body while it lay there concealed; but that they knew the Gentleman was destroyed by his Majesties allowance if not by his command? And does not his protecting not only the *Queen* and *Duke*, but the *Earl of Danby* from the justice of the Law when charged with that murder, lay him under the reproach and infamy of it before men, and under the dreadfull guilt of it before the great and Righteous God. The principal motive that influenced to this horrid murder, was *Colemans* having acknowledged to *Sr. Edmond*, that the *King* as well as the *Duke* were in the Conspiracy to alter the Constitution and overturn our Religion. And can we then believe that he would be less willing to have him destroyed, than his Brother was?

was? None was at that time so sorry for the detection of that part of the plot as the King, nor hath any laboured so vigourously since to baffle the belief of it as he hath don. But were he never so innocent from all accession to that bloody fact, yet being don at the instigation of his *Brother* and the *Chief-Minister*, whom he defends from being punished for it as the Law requireth, he ought to bear the imputation of it, and to have it charged upon his account. And that murder does in the whole complexion of it, so resemble the temper, and express the good nature of his Majesty, that it were to detract from his wit as well as his Malice, not to own him in conjunction with his *Brother* for the Author of it. And our finding him the designer off, and suborner unto conspiracies against the lives of multitudes, gives us just reason to conclude that he would not stand out from a plot against the life of one Gentleman. For that the King was the principal Author of al that part of the Popish plot, which related to the overthrowing our Laws, the extirpating our Religion, and the destroying the chief and most zealous Protestants in the Kingdom, hath not only appeared by the confession of several persons concerned and employed in it, but was acknowledged by *Coleman* both to *Sr. Edmond Bury Godfrey* and to the Committiee of of Parliament that examined him in *Newgate*. And as nothing influenced these Gentlemen to conceal this part of his Confession in the Report which they made of it to the House, but their pity and compassion to his Majesty, and the unalterable affection which they bear to Monarchy; so I dar both appeal to them as to the Truth of what is here delivered, and do affirm upon the word of a Gentleman, that thy have frequently related this to their Friends. Nor had his Majesty sooner failed in his hopes, of destroying us by means of the Popish conspiracy; but he immediately fell upon ruining his Protestant Subjects, by *Sham* plots in endeavouring to get them believed guilty of a combination against his person and Government. In order hereunto were all the Corners of the Nation searched, and the very *Goals* raked, to find instruments fit to be suborned and moulded to this Royal and Great State purpose and design. Upon this *Forge* of his Majesties good inclinations to suck the blood of Protestants, have been framed the blessed projects of the *Meal Tub*, of seizing the King at *Oxford*, of levying war in *Cheshire*, and of subduing the Guards by a Rabl  
and

to be gotten tumultuously together in London. And as they have sought to involve the noblest and best men in the Kingdom in the guilt and danger of these Sham conspiracies; so there is no meanness nor baseness which his Majesty hath not stoopt unto in order to compass and effect it. For he hath not only with his own hand brib'd Vile Rascals with money, but caressed; hugg'd and kissed miscreants, whom a vertuous person would not converse with, and all to render them bold; secret and zealous in pursuing the instructions he gave them of swearing loyal and innocent Gentlemen out of their lives. *Dangerfield, Fitzharris, Smith, Fitz Gerrard*, together with other villains to whom nothing is vile that can be gainful, are the Tools he hath corrupted, and laboured to destroy us by. And such as *Monmouth, Shaftsbury, Essex, Macklesfield* and hundreds more of the principal Peers and Gentlemen of the Nation, werethe persons by whose murder he hath sought to pave the way to Popery, and advance himself to an Arbitrariness over our Laws, Persons and Estates. It would make a modest man blush to hear only reported, what ways and methods, his Majesty, *Brother* and *Ministers* have taken, to corrupt and suborn debauched and necessitous persons; to swear such as have no crime, but there being Protestants and Patriots of their Countrey, out of their fortunes and lives. And whosoever will not prostitute themselves to be instruments of the Kings Tyranny, or at least be contented to be Vassals and Slaves, must be become sacrifices to his Rage, and make expiation for the crimes of loving their Religion and Countrey, with the forfeiture of their Estates and their Blood. And yet under all this, they have not only been permitted with safety to Rule and Reign, but the Subjects have all along payd them, a constant and uninterrupted obedience. So that no Prince could have less cause to asperse his people, *as if for several years last past, they had made it their business to promote sedition and seek the Ruine of him and the Government.* For under all the provocation the King hath given them, by plainly seeking to enthrall and destroy them, contrary to the great end unto which all Governours are appointed and ordained, yet they have rather chosen patiently to suffer, than to have recourse to violence for their deliverance from this high oppression and Tyranny. Which whether they were obliged unto by their duty, or whether it ought to be ascribed to the slavish temper of the age,

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I shall not determine; but I dar affirm that our Ancestors would never have connived at these things in their Princes, which we have with so much patience undergone and born at his Majesties hands. And instead of being commended by Neighbouring Nations for our peaceableness and loyalty, we are become deservedly reproached for a cowardly and servile people. For this is grafted into the minds of all Mankind, that when a Ruler, in direct opposition to the End whereunto he is instituted, is transported to seek the ruine of a vast as well as innocent Number of his people; he forfeits his Right to Reign, and the Subjects are justifiab<sup>l</sup> in defending and vindicating themselves.

Having thus declared, from whom all Magistrates Originally derive their Authority, and unto what Ends they are instituted and appointed; we come in the next place to make some enquiry into the Nature and Constitution of the Government of *England* and *Scotland*, that we may the better understand how ill his Majesty hath complied with the fundamental Laws of his Dominions, and how little he hath observed the Oaths which he is under of Governing by them. Albeit the first institution and appointment of Government be from God, yet the pitching upon this or that *Form* of it, hath its Original and Ordination from men. God hath not restrained all Nations to one *Species* or *Mode* of Government, but hath left it to the people to pitch upon that kind of Government which is most agreeable to their condition, and most suited to their Ballance. Nor is *Monarchy* more of God, than a *Republick* is. And as I know none of an other judgment, but some of the Sycophant English *Clergy*, and some of our Aspiring *Common-Lawyers*; who as they have little knowledg in Politicks, so their understandings are byaz'd to this opinion by their interst. A *Common-wealth* may be unsuitable to the genius of some Nations, but it is as lawful where it is chosen by the Community as *Kingship* can be. And as the people have the Electing of the *Form* of Government under which they will live, so it belongs unto them to design the Familie or Person, in whom Rule and Authority shall be vested. No man is born with a *Label* on his breast Commissionating him to Govern, but all stand upon the same *Level* till the vote of the Majority confer upon him a Right of jurisdiction over the Society. 'Tis true that a



Nation having settled the Priviledg of Government in a particular Family, their posterity are bound to acquiesce in it, till the safety and preservation of the people absolve them, and give them a dispensation to make another choice. And by the same Right that our Ancestors elected such a Family to govern over them for their good and happiness, may we renounce and depose them, when we find that instead of consulting our peace and benefit, they only endeavour our Ruine. For altho we should admit that our Fathers might subject themselves to slavery, yet it does not follow that they can entaile Bondage upon us. Their Estates they may alienate to the Crown, being the fruit of their personal labour and their own acquisitions; but the Tenor by which we hold an interest in our lives and liberties, descends not from them, but is vested in us by our Creator and Maker. And notwithstanding any Pact or agreement that the Forefathers of a people can make to subject themselves to the lust, will and Despotical pleasure of Governors; yet their *Offspring* may claim the benefit of the Divine *Charter* and vindicate themselves into a humane Liberty. Nor does the settling authority in a Family, preclude the putting by the next person in succession, when he hath given indications before hand of his intentions to Tyrannise over the people. For as even where the *Succession* is made *lineal*, he that comes to inherit, doth it not *jure hereditario*, but *vi legis*; so none can be supposed to have a Right to succeed, but in Order to the great and essential End of Government, and for the reasons of publick benefit and utility upon which they descended to establish such a Family over them. And as it belongs to the people to chuse the *Species* of Government under which they will be, and appoint the way of Succession, and the *medium* of conveying Authority to those that shall afterwards inherit; So having an antecedent property in their lives, liberties and Estates, they may contract with those whom they design to sett over them, that they shall meddle with none of these, but upon and according to the *Terms* which they agree and *capitulate*. Nor is any more after this lawful to the Prince, than what the Community have consented shall be so. Thus no King can have more power than what by the Rules of the Constitution is allowed unto him; and to withstand him in grasping at more, is not to resist Legal Power, but oppression and violence. For a King hath no further Authority,

than according to the Laws of the Countrey; neither are we bound in any thing to obey him, but in what is consonant to the Law of the Land. Nor is the stipulation between a Prince and people meerly mutual; but the people are only *conditionally* bound to him, whereas he is *absolutely* bound unto them. Kings without the liberty of any reserve, are obliged to govern their Subjects according to Law; but Subjects are not obliged to obey them, save upon the condition & Terms of their doing so. And whensoever Princes violate the fundamental Contracts that are betwixt them and the people, the Community is no longer subjected to them by Law, but they that were *de jure* their Subjects before, are then absolved and freed from their Fealty and Allegiance. He hath no Tye upon his people by the Oath which they have taken to him; who is *perfidious* and despiseth the Oaths that he hath taken to them. Nor are these things meerly founded upon the clearest evidence of Reason, but they are principles upon which all Regulated Governments do subsist. Shake or weaken any of these *Maxim's*, and all Contracts before hand with Monarchs are but folly and *pagantry*. And whosoever writes or preacheth any other *politicks*; ought to be esteemed betrayers of their Countrey to oppression and slavery, and instigator's of Kings to Arbitrariness and Tyranny.

Now no Nation in the world, hath more carefully provided for its happiness and liberties under Rulers, than our Ancestors did in the Acts and Fundamental Laws of our Constitution. For as our King is only King by Law; *so he Governeth not his people by a Regal Power, but a Politick*. The King, sayth Bracton, *is under the Law, because the Law both makes him King, and gives him his power. He hath not only*, sayth Fleta, *the Law for his Superior by which he is King, but his Court of Earls and Barons*. And Bracton adds, *that if he Rule sine fræno, id est sine lege, otherwise than according to Law, the Peers ought ei frænum ponere, to restrain and bridle him*. And as he is chosen to administer justice equally to all his Subjects, so say's Bracton, *he is no longer King than dum bene regis, while he rules well, but Tyrannus, a Tyrant, whensoever he oppresseth the people that are trusted to his care and Government*. And as his whole power, is a power to do good, and not to do hurt; so he can do nothing as a King, but what he can legally do. The Oath that either is or ought to be taken by

Forsefons  
lib. 1. c. 8.  
4. 3. c. 9.

1. 3. c. 3.

1. 2. c. 16.

1. 3. c. 9.

id ibid.



by our Princes at their coronation, is that they wil Govern the people according to Law, and preserve all their Customes and Franchises unto them. And by the expresse words of *Magna Charta*, Stat. of pro-  
vif. 25. Ed. 3. they are bound not to deny, nor so much as delay justice unto any.

In a word, we have the same interest by the Law in our propriety, that the King hath in his Regal dignity; and tho' all things be subjected to his Authority, yet nothing is left to his arbitrary will. Therefore He is said to do no wrong, because he can do nothing but what the Law impowers him. And as these are some of the essential ingredients of the Constitution of our Government; so the having them observed lyes in the duty of the Prince, & the happiness of the people. And if at any time the former Kings of this Realm were found to invade the Rights & liberties of their people; our Ancestors not only thought it lawful, but judged it their duty by force and Arms to oppose and withstand them. They not only managed open war against King *John*, and *Henry* the third, for Usurpation upon their Laws and liberties; but for the same reason they deposed both *Edward* and *Richard* the Second. Their word was, *Nolumus leges Anglia mutari*. That they would not suffer the Laws of England to be changed, and accordingly they took care to convey them to us, tho' often preserved with the expence of their blood. Surely if the departed soules of our predecessors, have any knowledge of the affairs of this world, they must abhor us as a degenerate Offspring, in so servily bowing to the yoke prepared for our neck's, and so tamely surrendering the Rights and Franchises, which they at vast charge of blood and Treasure conveyed unto and entailed upon us. Nor can we deserve less than the curses of our Children, if we leave them Vassals to Popery and Slaves to Tyranny; when we our selves were born to the enjoyment of the Protestant Religion, and to the possession of the freedom of ingenuous men.

But that we may the more fully represent, and the more distinctly understand, what the invasions of *Charles* the Second have been upon all our Laws and Rights; we will particularly recount and lay open the blessings, benefits and priviledges which we have all the imaginable security for, that fundamental agreements, Laws and Oaths can give us. And to begin with our Religion, which is both the most valuable thing in it self, and the most conducive to our happiness here and hereafter; is it not as well incorporated into

our Laws, as confirmed and established by them. For our Parliaments have not only enacted many *Statutes* for the preservation of *protestancy*, but have made it *Treason* in whosoever shall attempt the seduction of the meanest Subject to the Church of Rome. And And as by the Laws of *England* as well *Scotland*, no Papist is to be reputed a loyal Subject; so they are by law debarred and excluded from all Offices of Power and Trust in the several and respective Kingdoms. Both the Allegiance which we swear to our Prince, and the Supremacy, now vested in him by Law over his Subjects, presuppose his being a Protestant, & provide that none but Protestant Subjects shall be held or deemed loyal. But alaz! notwithstanding all the security which we have for our Religion both by the Statute Law of the Kingdoms, and by his Majesties Oath as well as his many repeated Promises and Declarations; yet he hath all along carried on a design, which is now brought to maturity, of extirpating Protestantism, and introducing Romish Superstition and Idolatry. Which that he might the more securely do, he obtained by means of protestations and solemn asseverations of his zeal for our Religion, the getting it enacted by the *Pensionary* Parliament, Anno 1662. that it should be *forfeiture of Estate and imprisonment, for any to say the King was a Papist, or an introducer of Popery*. And yet at that very time he was both himself a Papist, and under promises and obligations to the Pope and the Romish Clergy, to destroy our Religion, and to bring in, and establish theirs. For I do affirm with all the *sacredness* that becomes a Christian, and the utmost veracity that is required in a man, that I am assured of this, both by a letter under his own hand Anno 1652. to the *Pope*, and by Attestations from *Ocular* witnesses who often saw him at *Mas* during his Exile. Nay the Letter was once printed in *Whitelockes Memoirs*, but upon an apprehension of danger which it might bring the friends of the Author, as well as the Printer into, it was suppressed before the publishing of the Book. And for his *Royal Highness* and dearly beloved Brother, it is known both to some of the English Clergy and diverse Gentlemen, that he was reconciled to the Church of Rome long before the Restoration. There are two Original letters yet extant, and to be forthcoming upon occasion, wherein one of the Kings own *Chaplains* that was upon the spot when it was done, imparts and laments it to B. P. C. And we must give

gives the *Duke of York* the preference in this to his *Majesty*, that he hath at last openly owned and avowed what he is; while the King, (who is as much a Papist as he) declines the acknowledging of it, and under the vaile of a Protestant, does the more securely undermine our Religion, and promote the interest and concernments of the Church of Rome. Yet this I am obliged to add, tho it may seem some diminution of his Highness sincerity in Religion towards God, that he not only concealed his being a Papist for diverse years after his Reconciliation to the Church of Rome, but that he would not have declared himself so soon as he did, had he not been necessitated unto it by a Trick and Lugg<sup>l</sup> of the King. The story in short is this. The Papists having for a long time waited the accomplishment of his Majesties Oaths & Promises for restoring their Religion; and having annually contributed a great sum of money towards the effecting it; they at length grew sullen and would advance no more, unless either the King or his Brother would openly declare themselves for Popery. Which the King for reasons known to himself avoiding to do, and not being able by all his importunities to persuade his Brother thereunto; he at last bethought himself of this project, of getting the *Queen* to write a letter intimating her purpose of withdrawing into a *Monastery*, which she was to leave upon her closet Table, that her Priests according to concert before hand, having there seized it, might carry it to the Duke. Upon which his Highness being zealous that the King upon the Queens relinquishing of his Majesty might marry again, and thereby deprive him of the hopes of succeeding which he is so fond off, and thirsts so much after; did upon obtaining a previous assurance, that in case he declared himself a Papist, she should not withdraw, immediately pull off his mask, and renounce communion with the Church of England. And having hereby engaged all the Papists to his person and interest, (and that the more easily because many of them were ignorant of the Kings being as intirely affectionate unto their Religion as his Brother, and most of them doubtful of his zeal and courage to goe through with the design in case it met with any considerable opposition), that which in the next place remained for him to do, was to secure himself from all apprehensions of being supplanted by the *Duke of Monmouth*, in the expectations which he had of the Crown. For that excellent and

valourous Prince, who hath nothing to disparage him but his relation to the Family, had by the merit of his person and his integrity in the Protestant Religion, obtained a great and deserved esteem in the hearts of all people, that are either good Englishmen or sincere for the Reformed Worship. And therefore to rob him of this love, and to put him into the same circumstances with himself, he prevailed with the King to require the *Duke of Monmouth* to turn *Papist*. Which his Majesty out of tenderness to the Popish cause, as well as to gratify his Brother undertook to do; and accordingly sent him into *France* under an express command that he should in the most publick manner reconcile himself there to the Church of *Rome*. And from the *Duke of Monmouth* preferring his fidelity to God in this matter, to his obedience to the King, have sprung all his losses, reproaches and misfortunes since. For this he hath been deprived of all his places, made the Subject of allowed and publick obloquies, and hath had his Honor, Liberty and Life conspired against. But whereas all these things may be thought only to be evidences of the King and *Duke of York* their being *Papists* themselves, but not sufficient demonstrations of his Majesties and Brothers designs to extirpate the Protestant Religion out of *England*, *Scotland* and *Ireland*, and of their Endeavours to ruine it universally through the world. I shall therefore more particularly deduce and relate their carriage and behaviour, both for the weakning and suppressing it abroad, and the destroying and subverting it at home. His care and tenderness for the Protestants in *France*, may be conjectured from this, that the first *Edicts* by *Lewis* the 14. for their persecution, bear date with the time and year of his Majesties Restoration. And from that day to this, instead of interesting or concerning himself in their behalf, he hath countenanced and encouraged their oppression. *Oliver Cromwell* Anno 1657. had no sooner heard of an apprehension and fear that the Reformed in the South parts of *France* were under of a persecution; but he immediately bestirred himself in their favour, and by a letter to *Cardinal Mazarine* prevented and stop't the rage which was intended against them. Which I am sure was an act of great loyalty to God, whatsoever imputations may lye upon the memory of the Man upon other accounts; But can we forget the Story of *Monsieur Rohaux*, who coming into *England*, to acquaint his Majesty with the Resolutions

lutions taken at *Paris* to persecute, and if possible to root out the Reformed in *France*; and having proposed such overtures to the King as would have greatly proved for his glory and interest, and yet imported nothing contrary to the allegiance of that poor people; He remitted him to the *Duke of York* who not only informed the *French Ambassador* of the errand the Gentleman was come upon, but placed him behind the hangings to hear whatsoever *Monsr. Rohaux* had to represent and say. Which albeit the Ambassador could not but abhor in them, and was ashamed of in himself; yet he could do no less than to instruct his Master of what he had seen and heard. And as thereupon the poor Gentleman was at his remove from England watch'd and pursued; So being apprehended upon the border of *Switzerland*, he was thence carried back to *Paris*, and broken upon the *Wheel*. Nor have the King and Duke been satisfied to have betrayed as well as abandoned the Protestants in *France*; but they have with the utmost malice which Popery could inspire into them, sought the Destruction of the *Seven Provinces*, and principally upon the account of their being *Protestants States*, and for giving shelter to those who being persecuted else where for Religion flee and retire thither for protection and safety. For knowing what they intended in due time to bring upon Protestants at *Home*, they thought it adviseable to destroy these *Protestant States* abroad first, that there might not remain a Sanctuary for their persecuted Subjects to betake themselves for shelter unto. And abating this and one ground more of our Quarrel with these *States*, never was a War undertaken upon more unjust and frivolous pretences, than these two which the King entred upon against the *Seven Provinces* ann 1665. and 1672. Nor can any thing justify the discretion and wisdom of those Wars, had they not been calculated in subserviency to the promoting Popery and Slavery; seeing upon all other grounds which the minds of men can suggest, it is the interest of England to preserve the Government of *Holland* as it is. Can we have a truer account of the Grounds upon which the two Monarchs of *France* and *England* agreed and concerted the War against *Holland* 1672. than by the representation which the Ambassadors of the French King made of it at *Rome* and *Vienna*. For tho his publick Declaration bore no more, but that it was to seek Reparation for the Diminution of his Glory; yet the account he



gave to the *Pope* of his undertaking that War, was that he did it for the extirpating heresie. And in the same manner he sought to justify the piety of that enterprise to his Imperial Majesty, by saying that the *Hollanders* were a peopl' that had forsaken God, and were *Hereticks*, and that all good Christians were bound to associate and unite for their extirpation. From whence we may not only judge what kind of Christian our blessed King is, but that the true reason of his uniting with *France* in that War, was to destroy these *Protestant Dutch Hereticks*. And that we may yet more fully understand the motive upon which his Majesty embark't in that bloody and expensive quarrel, it is worthy of our remark how that when the *French* King had made this one of the Demands upon which he would be contented to receive the *States* into his ancient Friendship, viz. that they should not only allow the publick exercise of the *Romish Catholick Religion* throughout all the united Provinces, but that they should appoint a Salary, to the Curate or Priest allotted to the Churches which the *Papists* by that demand were to enjoy; the King of *England* being no less concerned in favour of Popery than the *French*, told the *States* by his *Plenipotentiaries* that without their concession of the foregoing demand of his Majesty of *France* he could not return to peace with them. So that not only from the Motive upon which that War was commenced, but from the proposals which he required them to consent unto in order to a peace, we have a most convincing proof both of his Majesties being a zealous *Papist*, and of his good inclination to the extirpation as well as the weakening the Protestant Religion in the Seven Provinces. And was not this a most thankful acknowledgment and Royal Requitall to those Provinces, for the many kindnesses which they had vouchsafed him during his Exile, and for the favours, bounty and honor which they expressed unto him, when he made their Countrey the last Stage of his retreat in order unto his Return to his Crowns and Kingdoms? But this must be ascribed to his zeal for promoting the Catholick Religion, which atones for all Defects in Justice and Gratitude, and ought to be imputed to the principles of Popery wherewith he is wholly indued, which have the vertue to expell all ingenuity and good nature. And as the undertaking those Wars was on our part wholly unjust, unless his Majesties good intention of promoting the Catholick cause by the ruine of a *Protestant State* be sufficient to render them righteous,

so the last War Anno 1672. was begun with as little generosity, as it was resolved upon without a justifiabl reason. For contrary to all the measures of ancient honor, as well as the *Treaties of Alliance* then in force between *Holland* and this *Crown*, did we as Pyrat's and Robbers attack and fall upon their *Smirna Fleet* March 13. anno 1672. whereas we did not denounce War against them as became faire and generous Enemies till the 17. of that Mon'th. Nor was our commencing it without that warning which one State ought to give to another, and specially while their Ambassadors were in Treaty at *Whithall* with the King and his Ministers, more disagreeabl to principles of justice, honor, and vertue; than some of the arts and methods by which we sought to conduct and manage it, were base and infamous. For when we could not subdue and conquer them by our Courage and Valour; his *Royal Highness* with the knowleg and connivance of the King, instigated, suborned and bribed two indigent and desperate villaines to goe over and burn their Ships as they lay in their Harbour. Whereof tho one if not both of the miscreants whom they employed, received the deserved reward, having been publickly executed at *Amsterdam*; yet the *Duke of York* and his Majesty can never escape the dishonor and ignominy of so unprincipely, sneaking and unhostile a Fact.

Having thus briefly view'd, and with all the modesty that the matter will admitt, related the carriage and behaviour of our Court for the weakning and ruining the Protestant Religion abroad; we are next to consider the Methods, steps and Degrees by which they have sought to extirpate it, and destroy those who with any zeal and sincerity profess it at home. Nor was it an inconsiderable advance to the promoting the conspiracy against our Religion whensoever they should return into the Kingdom, that they had during their *Exile* corrupted most of the persons of Quality who where in banishment with them, to renounce the Protestant Doctrine and worship, and secretly reconcile themselves to the Church of Rome. For as Mr. B. offered to prove one day in the *Pensionary house of Commons*, that of all the persons persons of rank and Note who sojourned abroad with his Majesty, there were but three then alive, who had not been prevailed upon to goe to Mass; so I think my self obliged in justice to these Gentleman and duty to

the Nation, to let the world know that the three then surviving persons who had remained constant to the protestant Religion, where *Prince Rupert*, My Lord *Gerrard*, now Earl of *Macklesfield*, and Mr. *Henry Coventry*. Nor were they sooner restored, but they sett themselves by their influence as well as example, to seduce whomsoever they could conceive any hopes of prevailing upon. Not so much as a Wench could secure unto herself the Kings amorous respects and affections, unless she entred into the besome of the Romish Church and turned Papist. Which hath made the Dutches of *Cleveland* often say, that she did not embrace the Catholick Religion out of any esteem which she had for it; but because she could not otherwise continue the Kings Mistress, and much less remain *Whore of State*. And if we turn our eyes towards those who have been and still are chiefly employed under his Majesty in the Civil Ministry, we shall find that those who have been sometimes obliged by the necessity of his affaires, and in compliance with the times the better to palliate his designs, to make use of persons that were sincere and true Protestants; yet that they whom he admitted into his secrets, and in whom he placed his Trust and Confidence, were always Papists. Albeit by the Statute Law of the Land, whosoever is reconciled to *Rome* stands debarred from all Offices, and is made obnoxious to several kinds of punishment; nevertheless our Gracious King, who is sworn to Govern by Law, and who would have himself believed to be the best Protestant in his Dominions, hath out of that number chosen his *Ambassadors*, *Generals*, *Ministers of State*, yea and the *Bishops* of the highest and most principal *Sees*. What else recommended *Sr. William Godolphin* to be *Ambassador* in *Spain*, or *Sr. Lionel Jenkins* to be *Plenipotentiary* at *Nimwegen*? And must it not be attributed to the merit of their Religion, that Collonel *Fitzgerald* an Irish Papist was made *Major General* of the Forces at *Blackheath*, and that the Earl of *Dartmouth* rides now *Admiral* in the *Mediterranean*? It was the being zealous *Catholicks* that raised My Lord *Clifford* to be *Treasurer*; & which preferred the Earl of *Danby* both to the *Treasurers Staff* and the whole administration of Affaires. Nor to any other Motive saving their being Papists, are we to attribute the advancement of *Dr. Crew* to the *Bishoprick* of *Durham*, or the Exaltation of the present *Arch Bishop* of *Canterbury* to that *Archi-Episcopal See*. It was the observation how State preferments

ments went, and an undoubted knowledge of what his Majesties designs and intentions were, which made My Lord *Hallifax* say, *that he foresaw the coming in of Popery was not to be avoided nor withstood, and that therefor he was resolved to come in on horseback with it.* And let a person be never so instrumental in serving them in whatsoever else they pursue and drive at, yet if he do but scruple to concur with them for the overthrow of our Religion, not only in the *phanatick Modes*, but in the *legal* and established *Form* of it, he presently incurs the displeasure of our Prince and his Royal Brother, and comes to be laid by as an improper and useles *Tool*. Thus after that *Duke Lauderdale* had served and assisted them in their Tyrannous designs, both to his own perpetual infamy, and devastation if not ruine of his Countrey; yet because he demurred to act along with them for the eradication of *Protestancy* and the erecting *Popery* to be the National Religion, he was discharged from his Ministry and Offices, and grew despised and contemned in his person. How are all the Laws made against the Papists, which the Nation hath purchased for the security of our Religion by vast supplies given to the Crown, made insignificant and useles by *non-execution*, and by perfering these into places of judicature and Trust that are a skreen and Fence unto the Catholics, from the edge of those weapons. Among the multitudes of people prosecuted at this time for the Transgression of penal Statutes made in reference to Religion; who of all the Papists find any cause to murmur or complain? For if by chance some one or other of that *Character* come to be presented or indicted at the *assises*; Our *durante Beneplacito* judges find way's to dismiss them without damage or harm. Or if by means of some Protestants, who, as the *Duke of York* phraseth it, have more zeal than discretion, any Catholics come to be returned into the Exchequer; yet such is his Majesties affection to the Romish cause, that notwithstanding the poverty of the Treasury, hardly one man is made the poorer by the Exaction of the *forfeiture of the two thirds of their Estates*. And as if the Trust and Favour into which the Papists are admitted, and the suspending the Execution of the Laws against them, were not plain and sufficient indications of the conspiracy of King and Court against our Religion, his zeal for them and malice to us, hath made Him attempt once and again to make Trial of his Prerogative in *dispensing* with and *superceding* the Force of all the

Laws unto which they are obnoxious. Thus Anno 1663. there was a Declaration prepared and ready to be emitted to that purpose, but was hindred and prevented by the opposition which some persons then neer the *Helm* made unto it. But what was at that time stifled in the birth, his Majesty having further matured, was delivered off in March 1672. For being united with the *French* King to destroy the protestants *Hereticks abroad*, he could not do a thing more agreeable to such a design, than at the same juncture to indulge Papists the free exercise of their Religion, and to deprive his protestant Subjects of all the legal security they had for theirs. 'Tis true the Declaration bore that the *Phanatics* should have the liberty of their Consciences, and the benefit of that *indulgence*, as well as the Papists and Roman Catholics. But alaz! that was only to have made those honest, (but for the most part short sighted) soules, instruments to justify his absoluteness, and accessorie to his assumption of Arbitrary power over the Law. And had his Majesty been but once in an acknowledged possession of a power to dispense with all Laws relative to Religion, how soon could he by the same Authority have retracted the liberty granted by that Declaration to them, and by one of a new date *vested* the whole favour of his *indulgence* upon his loyal *Popish* Subjects. Or can those so often wheedled and deluded *Phanatics* have a clearer demonstration of the hatred which his Majesties entertains for them, and the design which he carries on for the extirpation of the protestant Religion which they profess; than his causing to prosecute them from one end of the Nation to another upon all the Statutes to which they are lyabl, and that at a season when the union of all Protestants is so needful to our preservation from the plots of the Papists, and when the enjoying the love and confidence of all his people would be so conduciabl to render him safe at home and great abroad. But he knows both the motives upon, measures by, and the Ends for which he at this time persecutes the Non-conformists; tho some of them may be so blind and stupid as not to understand and discern them I would fain ask these people of whom thousands are excommunicated, imprisoned and harassed, when not a Papist in the three Kingdoms is troubled or molested, whether this be not sufficient to open their eyes, and make them see that what his Majesty aims at, is the weakening the Protestant party, that so they may become the more easie a prey to Popish rage and cruelty.

when



when the blessed houre shall arrive for the execution of that bloody attempt which they have been so long travailing withall. This is the sense which the *House of Commons* in the last *Westminster* Parliament had of these prosecutions, and accordingly voted *them betrayers of the Protestant interest in England, who at this time a day shall be found disturbing or oppressing Dissenting Protestants upon any of the penal Statutes relating to Non-conformity*. What then do these bigotted *Church of England* men, that are the *Courts Tools* in persecuting their Fellow Protestants, but cut the grass under their own feet, and make way for their own fate and destiny, which is to be themselves last devoured. But why do I call them *Church of England* men, it being evident that many of them are Papists only under that mask and disguise, and that others are of no Religion, and therefore ready to be his Majesties instruments in persecuting those that have any. Nor can we have a more convincing proof that all this prosecution of Dissenters is an effect of the Conspiracy carying on against our Religion; than that it is don after four several Parliaments have been desiring and endeavouring to have them indulged. For not only the two last *Westminster* and the *Oxford* Parliaments, but even that unhappy assembly the *Pensionary* Parliament, which at the Kings and Bishops instigations had made so many severe and unreasonable acts against Dissenters, came to think of framing and preparing Bills for the repeal of some of these Laws and mitigation of others, to which they were obnoxious. But his Majesty out of that malice which he bears to our Religion, finding that there was no more hope of scruiing up Parliaments to further severity against us, resolved he would not lose the advantage of oppressing Protestants as far as the Laws already made would give him leave, and therefore he hath alway's, since either prorogued or dissolved Parliaments before such Bills could come to maturity. Nay when there had in favour of Protestants, a Bill past both Houses for the repeal 35. of the Queen; his Majesty to prevent them of the ease and relief which the abrogating that Law would have given them, did in an unpresidented and arbitrary manner, lay his command upon the *Clerk* not to offer it for the Royal assent. And to all these uncontrollabl arguments of his settled and fixed purpose to undermine and supplant our Religion, he not only prosecutes a vast number of peaceable & sober people upon the Laws enacted against *Dissenters*, but he hath turned the Laws which were originally

ginally made against Papists, to the oppression, impoverishment and ruine of Protestants. For whereas the Statute 23. of *Elizabeth* was purposely made against Roman Catholicks, it is applied by out present Judges, who are rather Ministers of the Kings will, than equal Dispensers of justice, to the spoiling and distressing of Protestant Dissenters. And this his Majesty and Royal Highness seem to glory in, not only as a piece of Regal Art and Craft, but as a Trick singularly adapted to the principles of their Religion, and eminently expressive of the rage and fury wherewith they pursue Protestants. And from thence it was that the *Duke of York* told some honorable Members of the last Parliament of *Scotland*, when they were endeavouring to get some Bills past for the security of their Religion in case of a Popish Prince, *that whatsoever they intended or prepared against Papists, should light upon others.* And may we not to all this, add as a most signal evidence of the conspiracy wherein his Majesty is engaged against our Religion, that he hath actually placed the *Duke of York* (who is a bloody as well as an avowed Papist) in the whole Administration of the Government of *Scotland*; and hath not only admitted him to the chief conduct of affaires in England, but is resolved against the desires of three Parliaments to entaile him upon us as our King. For it is not out of any particular love which he bears to that Dear Brother, that he refuseth to hearken to the prayers and advice of his people in the matter of *Secluding* the *Duke*, but it springs from the hope and foreknowledge which he hath of the miseries which that Gentleman will bring upon the Kingdom's, and the ruine he will work to our Religion in case he come to be once seated in the Throne. And it is remarkable that whereas by the *Laws of Soiland*, none ought be admitted to any publick Trust, unless he first swear the Oath of Allegiance, and sign the Declaration inserted *Act. 11. Parl. 1. Ch. 2.* His Majesty hath not only thrust him into the Council, but constituted him his *High Commissioner* in that Kingdom, without doing either, or so much as taking an Oath *de Fideli.* Nor hath the Duke meerly denied to give them security for the preservation of their Religion in case he succeed to the Crown, but being told of the Terms his Majesty had offered to the Parliament of England, which were much harder and more dishonorable than any they required, he replied that *his Majesty never intended such limitations should pass, nor offered them but when*  
*he*

he know they would not be accepted. Which tho it argue a great correspondency between the two Brothers, in every thing which tends to the ruine of Religion, and that they do nothing in that matter but by concert; yet it shews with what insincerity his Majestie useth to treat his two Houses, and his whole people represented in Parliament. And as a further proof yet of the Kings established and steady resolutions of overthrowing our Religion, I shall here subjoin the substance of the Alliance which was first treated at London, and afterwards by the means of the Dutches of Orleans concluded at Dover between Him and the French King for the introducing of Popery and Arbitrary Government into these three Kingdoms. Colbert de Croisy Ambassadeur de France à Londres, apres avoir remis devant les yeux du Roy d'Angleterre &c. After that Albert of Croisy Ambassador of France, had laid before the eyes of the King of England all the grounds which his Majesty had of complaints against Holland, &c. Luy dit enfin le Tems estoit venu, in conclusion, He said unto him, that the time was come to revenge himself, d'une Nation, of a Nation which had so little respect for Kings. And that the occasion was never more favorable, seeing many Princes of Germany were already entred into the League, and that the King of France was powerful enough to be able to promise unto his Allies in the Issue of that war, satisfaction; & leur gloire & leur interests, both as to their glory & interests; ce que engagea ce Prince a signer un Traite secrette avec la France, Whereby he prevailed with that Prince to enter into a secret Alliance with France. Et pour l'asseurer encore davantage Henriette d'Angleterre Duchesse d'Orleans passa en Angleterre en 1670. & proposa au Roy son Frere a unom du Roy Tres-Christien de luy assurer une Authorité absolue sur son Parlement, & de Retablir la Religion Catholique dans les Royaumes d'Angleterre, d'Ecosse & d'Irlande; And to assure him yet more Henrietta Dutches of Orleans, went into England, and proposed unto her Brother in the Name of the most Christian King, that he would assure him an Absolute Authority over his Parliament, and to Reestablish the Catholick Religion in his Kingdom's of England, Scotland and Ireland. But she said that to compass this, 'twas before all thing necessary to abate the pride and power of the Dutch, and to reduce them to the sole Province of Holland; and that by this means the King of England should have Zealand, pour retraite en cas de besoin, for a retreat in case of need, and that the rest of the Low Coun-

treys should remain to the King of France, if he could render himself Master of it. This is the summ of that Famous League concluded at *Dover*, which hath been already so fatal to *Europe*, and which was calculated for the subjugation of these three Nations to Popery and Arbitrary Power. And upon the assurances which the French King gave his Majestie of that, did he contrary to all the honor and faith of a Prince, violate the Triple League, and embark in a war against the Seven Provinces. And under the influence and aboding threatnings of this pestilent conjunction, do these three poor Kingdom's still remain. But I trust the same God who disappointed them of their hopes of subduing *Holland*, will in his own due time defeat all their designs for the destruction of our Laws and Liberties, and for the alteration of our Religion. However, they who contrary to all the obligations and Oaths that they are under, as well as the duty which they owe to their people, have entred into this conspiracy and hitherto promoted and carried it on, deserve the utmost indignation of Mankind, and to be made feel the Effects of their Treachery towards loyal Subjects who have so entirely confided in them, and unmeasurably honored them. And O wretched and bigotted *Clergy* and execrable *Bishops*! who knowing this design of theirs against our Laws, Liberties and Religion, have not only connived at, but effectually cooperated towards the accomplishment of it. Who so much as they, have opposed the *Bill's* brought into Parliament for the securing unto us the *Protestant Doctrine and Worship*, and for delivering us from a *Popish Successor*, and such a one whose tyrannous and bloody nature as well as Romish Principles, give us just apprehensions of expecting from him all the mischiefs that can befall or overtake a people? These are the men false to God, and unfaithful to their office, who abuse the credulity of easie souls, and decoy them into a tamenels of bowing to French slavery, and admitting Romish Idolatry. Nay that Act for debarring *Papists* from sitting in the House of Lords, which with so much difficulty we did obtain, was vigorously opposed by the Bishops, and that upon this Motive, because the mass was filed Idolatry. This is the viperous and miscreant generation, who not only say that there is no difference betwixt Popery and the Protestant Religion; which the loyalty of *Papists* will not ballance; but who in their discourses and Sermons prefer

Bishop of  
Edinburgh.

fer Papists to Protestant Dissenters. Do not their pulpits sound, and are not their Books stufft with these and like Doctrines, *that the Pope is not Antichrist, nor the Romish Worship Idolatrous, and that Papists are in a safe way of Salvation as well as Protestants.* But God forbid that I should fasten these imputations upon all in the Episcopal Order, and much less upon the whole conforming Clergy; for there art both many of the latter and some of the first sort, who may vie with any Protestant in the world, for zeal to the Reformed Religion, and fidelity to the Rights, Laws and Priviledges of their Countrey. And to their example and conduct we owe in a great measure, that there are yet in the communion of our Church, so many strenuous *Confessors* of Protestancy, and *Patriots* of English liberties. But to make some reflection upon this Conspiracy of the *King* and *Duke* against our Religion; which we have here so fully deterted and laid open. May we not hence guess at the Truth of all the rest of his Declaration, by that one *Paragraph*, *That he July 27. hath by his utmost care, manifested to all his subjects his zeal for the maintenance of the Protestant Religion* For if there be but one rational man either at home or a broad, who can give credit to his Majesty in this, we are willing, tho otherwise never so innocent, to be believed guilty of all the crimes wherewith we are there aspersed. But if the whole course of his Reign and the constant *series* and *tenor* of all his Councils and actions, proclaim to the world, that there is no Faith to be given unto him in this; we may justly hope that all Mankind will at least believe, that he may as well have sought to abuse and impose upon them, in whatsoever else he hath there charged so many of his Subjects with, and accused them off.

Having seen how our Religion is undermined and sought to be altered by his Majesty, notwithstanding all the Laws which we have for the security of it; we will in the next place, enquire whether we be safer in our *Liberties, Estates, Franchises and Lives*, or whether the *King* and his *Ministers* have not conspired as well against these as against our Religion. 'Tis known to all that understand any thing of *England*, that no Nation hath a better *legal Fence* about its *properties* and *Rights*, than both by the *Common* and *Statute Law* of the Land we have. For here no Subject lyes at the discretion of the Prince, either as to Life, Liberty or goods;



but we have the same Right to all these; and the same security for them, that the King hath unto or for his Crown. But yet in defiance of all those Laws, by which our propriety, Liberty, Estates and Lives are encompassed and hedged about; hath this King of ours, thosworn to Govern by Law, made an invasion upon all the Rights which we either claime as men or ought to enjoy as English Subjects. And what he can not rob and deprive us of by open Violence and Force, he endeavours to compass and effect by a company of perjured villains engaged in the same conspiracy with himself, whom he hath advanced into places of judicature. What he hath not the courage to attempt by his *Janisaries* and armed *Legions*, he securely brings to pass by *twelve Rogues* in *Scarlet*. And by setting Robbers and Murderers on the *Bench*, he hath found the way and means to bring honest and innocent men to the Goal and Gibbet. In order hereunto he hath not only sought out the corruptest and most mercenary men of the whole *Common* to make judges of; but he hath bound them to the fulfilling his wil and lust, by placing them in those Seats *durante bene-placito*, which is in English, as long as they do whatsoever he hath a mind unto. This was sagaciously foreseen and plainly foretold by judg *Hales*; who hearing one discourse of the danger that we were in from the *Black-heath* Army, replied that two such armies were not able to hurt us, but that if *Westminster-hall* once *warped*, then fare well all the security we had for whatsoever is valuable. And what the *Duke* said in the hearing of persons of great credit, (at his being his Majesties *Commissioner* in the *Norith*) that *in England the Lawyers ruled the Court, yet he would in Scotland rule the Lawyers*; the King hath learned to practice neerer home, and at last to copy and transcribe in England; what his dear Brother gave the Original of in the neighbouring Kingdom. And as his Royal Highness hath been heard frequently to declare, *that he had rather Reign a Month as the French King, than to Rule for twenty years as his Brother the King of England*; so if I do not greatly mistake, it is evident not only from the *Dover Treaty*, but from his Majesties arbitrary invasions upon all the Rights of his people what a King he intends at length to prove. And seeing I am calling over some of the gracious and merciful sayings of his *Royal Highness*, it will not be amiss to remember

ber one more, because it declares the reason of *his* and the *Kings* malice against the people of England. I do therefore affirm that he declared openly in his Bed Chamber at *St. James's*, *that he was resolved to be revenged upon the English Nation for his Fathers death*. Nor need this seem incredibl<sup>e</sup> to any who have either observed his or his Majesties Actions, or have heard that the *Queen Mother* left this as a *legacy* to the Kingdom, with a charge upon her Sons, that as they would have a share in her blessing, they should see it payd and discharged. And his Gracious Majesty and dearly beloved Brother are fully resolved, (rather than forfeit so choice a mercy as the blessing of a Popish Mother, who by her *Jesuitick* Counsels brought her Husband and their Father to the Scaffold) to *execute* her Will and Testament with a surplussage of their own Romish Grace and Bounty. But it may be necessary for the better convincing this sottish age, that we descend to particulars, and represent the chief Steps and Methods, by which the King and Duke have prosecuted the subversion of all our Rights, Priviledges and Liberties. And I hope the Reader will be so true and kind to himself, and so just unto us, that while he is perusing these things, he will still cary along in his mind, the remembrance of the *Dover Treaty*. And the first advance which they made towards the enslaving these Kingdoms, was to take an advantage from the *Delirium* and frenzie which the Nations were in upon his Majesties Restoration, to obtain the Repealing some of the principal Laws, by which their Arbitrariness would have been curbed and restrained. Thus they not only procured in *England* the abrogating of the *Triennial Act*, by which the Sitting of Parliaments once in three years was infallibly secured unto us, but at one dash they got rescinded in *Scotland* all the Laws which had been enacted in Parliaments for 27 years past, and that notwithstanding they had been ratified by the Royal consent either of his present Majesty, or his Father the Martyr. And in subserviency to the same design, with the supplanting our Religion and enslaving the Kingdom's, they obtained not only the reestablishment of Bishops in a Lordly jurisdiction over the Church, (which they have infected, corrupted and betrayed) but to be restored to their Seats and Votes in Parliament, where they alway's were, and (while they depend entirely upon the Crown) ever will be, a formed party, for the lust and pleasure

of the Prince. But all this not being sufficient to advance them unto and establish them in the *Ottoman* and (which is much worse) the *French* Arbitrariness and Tyranny, that they so earnestly aspire after; their next attempt was by new Acts to make Parliaments themselves the Ministers and Instruments of *their* Ambition and *our* Slavery. In order whereunto they fell a buying and purchasing at certain and annual rates the votes of Members; and the greatness of the Number of those who stood ready for sale, as well as their indigencies and lusts, made the price the easier at which they were bought. And being so vile and base as to sell themselves, it may be easily imagined how ready they would prove to sell and betray the Nation. Especially seeing that was to be the condition upon which they were to receive their yearly stipends; For abstracting from that service, none would have offered money for them, unless in order to their being used and employed (which may at last prove their Destiny) in a Mine or Galley. Now in Gratitude for their Salaries, and to accomplish the will and pleasure of their Lord and Master the King, whose bought and purchased Slaves and Vassals they were, how many *Bills* did they pass into *Acts*, for the enslaving and ruining a third part of the Kingdom under the notion of *Phanaticks* and *Dissenters*? And to make a *President* by Law for Tyranny, they empowered justices of peace to disseise men of their Estates, without their being convicted and found guilty by legal juries of the transgressions whereof they were accused. By which they not only overthrew all the *Common* and *Statute* Law of the Land, which provides that none shall be disseised of his Estate, save by the *Verdict* of *twelve good and lawful men of the Vicinity*; but they subverted and altered the fundamental Constitution in making English men lyabl<sup>e</sup> to be ruined at the Arbitrary pleasure of the Kings Ministers. And as an addition to this, these *Mercinarie* members, (most of whom had been in a *Goal* but for the priviledg they enjoyed through being in the *House*) past a Law which is stiled the *Act for Corporations*, by which men of principles and integrity were debarred all *Offices* of Magistracie in *Cities* and *corporate* Towns. The woful effect of which we now both feel and see, in the surrendry of *Charters* and betraying of *Franchises* by persons on whom the Government of corporations through means of that *Act*, came to be cast and devolved. For  
had

had it not been for that Law which excludes so many honest, able and vertuous men, the persons advanced of late to Magistracy would never have risen above *scavengers* for the cleansing the streets, or at most to be *Headboroughs* or *Constables*. To this as a thing wherein they further ministered to our slavery, we may subjoin their having past an *Act*, whereby they limit and confine the Number of these that shall present petitions to the *King*, or to either of the two *Houses* &c. not to exceed *ten* persons. And let the matter to be represented be never so important, or the grievance whereof we would seek redress never so illegal and oppressive, yet it is made no less than a Riot, if above ten persons prostrate themselves before their Prince, to crave the benefit of the Laws, or to seek the redressing the evils under which they groan. Which is not only a plain depriving of the Subject of that which was alway's heretofore his priviledg, but a preventing the King from all true knowledg as well of the Number as the Quality of his people that may be oppressed, and who seek unto him for relief. For admitting that it is still lawful to have any Number of hands to a petition, yet how easie is it, if they be not allowed to appear before him, for those that were the Authors of their suffering and oppression, being men usually neer his Majesties person and who have his ear, to pretend that half of the Names annexed to the petition are counterfeited, and that the greatest part of those whose Subscriptions are there, are only poor, mean and beggarly creatures. Neither was this all, the *brib'd* and Mercenary Majority of the long Parliament did at the influence of the King and his Ministers, towards the enslaving the Nation, and making us of a free *English* people, *Vassals à la mode France*. For as if they would have both encouraged his Majesty to use *Force* in compassing his Arbitrary Designs, and have bound up our hands from protecting and defending ourselves against armed violence; they passed an *Act* whereby they have placed and stated *the sole and whole power of the Militia in the King*. This the Wisdom of our Ancestors would never do, but judg'd it conduceable to the safety of the people, and the security of our common Rights, to have it concealed and undeclared in whom that power was lodged and Trusted. And I will presume to add, that whatsoever the folly and Treachery of that Assembly of men was in this matter, yet it can no way's answer the de-

design which the court propos'd by it, nor give them any legal security against resistance, in case they go on to invade & overthrow our Rights. For admitting that the power of the *Militia* is in the King, yet we are always to believe, that it is there only for the preservation of the Community, and not for its destruction. And if this be not allowed, this legal *Monarchy* of ours, would be the greatest *Tyranny* of any that ever were. For whereas Monarchs else where do enslave their people by Violence, and Tyrannise over them by their Lusts and will; Our King should be made a Tyrant by Law, unless we allow that all the power confer'd upon him in the *Militia Act*, is for the safety of his people, and not for their ruine. And as Cicero say's, *Amittit is omne exercitus & imperii jus, qui eo imperio & exercitu Rempublicam oppugnat; He loseth all legal power in and over the Forces of a Nation, that useth the Authority and Force which is trusted with him, against the welfare and happiness of the Republick.* But to shut up this with one instance more, wherein the hired and brib'd Members of that Assembly, did all that was needful to have enslaved the Nation, had not the Lusts and Prodigality of the King led him to waste and mispend, what would otherwise have served to have made him as absolute and arbitrary as his Brother of France. I mean the vast Summs which they gave him, beyond what the support of the Government or Defence of the Nation call'd for. Which might have produced fatal effects in relation to our *Rights* and *Liberities*; but that his Majesty (whom upon this account we will ever stile gracious) knew as litl a measure in spending, as that unhappy Parliament did in giving. This our Ministers were aware of, and finding that through the Kings wastfulness, there was no depending upon any limited and definite Summs tho never so great, for the accomplishing the designs against our Laws and Constitution, which they had so long gone with and were big to be delivered off; they therefore at last prepared and brought into the House two Bills, the passing whereof would have compleated our misery, and have made the King Absolute. The one was to *empower his Majesty upon extraordinary occasion* (which to be sure he would have been always judg of) *to raise money without a Parliament.* And the other was, *for the Settlement of an universal Excise upon the Crown.* The passing of either of those, would have inabled the King to have governed by *Bashaw's* and



and *Janisaries*, and redeemed him from all future need of Parliaments or apprehension of having the instruments of his Tyranny impeached by them. But what the Court had projected as the means of our slavery and of their obtaining all they had a mind unto; proved here the ground of their disappointment, and the occasion of our Escape from the snare which was layd for us. For the *Mercenary* Members foreseeing that the passing these *Bills* would have put an End to their pensions by making them useless for time to come, they consulted their gain, with a forgetfulness of what the Court stiled their Loyalty, and by falling in with the honest party, became assistant to the throwing them out. However we have as clear evidence from the bringing the Bills into the House, of the Kings intention to change the Government and enslave the Kingdom, as if they had passed into standing Laws. Yea so earnest were they for the obtaining an Arbitrary power, through the concurrence, or at least with the knowledge and connivance of the Parliament; that having *concerted* it at a *Cabal*, they would have it argued and spoken unto in the House of Lords. Which My Lord *Clifford* undertook, and accordingly made a long speech before all the Peers in praise of Absolute Monarchy, and how much it would be for the interest of the Kingdom to have his Majesty trusted with a more unlimited Authority. Which some of their Lordships reciting with a warmth & indignation becoming persons who are by the Constitution designed for a bulwark against the Tyranny of our Princes, and a Fence about the liberties of the people, the Motion not only died without being seconded, but *Clifford* was even by him through whom he was engaged, censured as a rash fool for the attempt. However finding the Nation grew sensible of their intention, to overthrow our Liberties, and despairing to get any more Acts passed in Parliament towards the promoting of their Design; they have resolved to husband the Laws they have obtained as much as they can to our ruin, and where they faile of being serviceable to that End, to betake themselves to other Methods and Means. And therefor besides the daily impoverishing, confining and destroying unspeakable Numbers of vertuous and peaceable people, under the covert and pretence of executing the Laws; they have in a thousand instances invaded all our Rights and Liberties where they have not

the Shadow of a Law to give countenance unto them. It would require a volumn to recount all the particulars, wherein they have partly under the palliation of Law, and partly in defiance and contempt of it, tyrannised over us; and therefore I shall mention some few particulars, from among many, wherein they have invaded our Estates, Liberties, Franchises, and illegally and arbitrarily destroyed the lives of diverse innocent and loyal Subjects.

And to begin with the *inroad* which they have made upon our goods and Estates. What was the shutting up of the *Exchequer*, but a Robbery committed upon the people, under the Bond and security of the Royal Faith? were not many hundreds as really impoverished by it, as if he had violently broken into their houses, and taken their money out of their Coffers? Nay this would have lookt generous and great; whereas that was esteemed sneaking and base. Only it seems more agreeable to his Majesties temper to rob his Subjects by a Trick, than to plunder them by direct and open force. His courage might demur at the one, but his faith and credit, (things he can easily dispense with) were only ventured in the other. Nor had his Majesty any cause to complain of the last *Westminster* Parliament, as if by some *votes* they had endeavoured to weaken his reputation with his people as to borrowing of money; for he had taken care before to prevent that hazard, by leaving himself none to lose. Of alliance to this, only with some more grains of vileness and unworthiness in it, was that Action of selling part of the money collected for the redemption of *Slaves* out of *Argiers*, and fetching it from the *Chamber of London*, where it was deposited to that end, into the *Treasury*, whence it is to be disposed for the enslaving of us all. Can there be an action of greater *Barbarity*, than to take the charity and benevolence of good people, which they had given towards the releasing of poor captived *Christians* from the thralldom which they are into *Mahometans*, and to turn it either into wages for his *Myrmidons*, or into pensions to reward suborned witnesses for swearing guiltless persons out of their lives. And if such ways do not present and offer, wherein he may more immediately himself rob and spoil his Subjects; he hath found judges qualified to serve him in the doing of it. Who as they are chosen to be

be Ministers of his Will and not of the Law; so they are most ob-  
servant of the Rule which is set them to goe by. *Westminster Hall*  
is to be instead of the *House of Commons*; and what his Majesty  
wants in *aids* by a *Parliament*, is to be made up by *Fines* exacted  
from the Subjects upon the sentence of the *Kings Bench*. So we are  
not only robd under colour of Law, but our spoiles are to relieve  
the King from the need of a Parliament, and hinder the Subject  
from the benefit of having one. And whereas Taxes imposed by  
Parliament are for the defence of the Kingdom & in order to the  
protection of the people; these *Fines* levied upon us by the Decrees  
of the present judges, are to advance and establish tyranny over us.  
How many have lost more in one year by exorbitant fines, than  
would have fallen to their share to pay for *Subsidies* in ten. And  
so proper and adapted is this *Engine* of ruining us by men in *scarlet*,  
that they have gotten it declared in the 18. *Act* of the last Parlia-  
ment in Scotland, *that the Right of jurisdiction both in Civil and Cri-  
minal Matters, is so inherent in the Crown, that his Majesty may  
judg all causes either by himself or any other he thinks fit to commissio-  
nate.* By which *Statute* there are not only above 20. Material *AP's*  
all tacitely repealed, but they have made sure that no man in that  
Kingdom can promise himself justice, seeing it is placed in his  
Majesties power to pitch upon his greatest Enemies to be his judges.  
So that at one dash they have not only overthrown all the Civil and  
Criminal Law of Scotland, but layd a plain foundation for Ty-  
ranny and Arbitrariness, by making men triable for their lives and  
Fortunes, by Commissioners packt and put in at the pleasure of  
the Prince. But to return to the enumeration of the way's and  
Methods, by which these servile and *durante beneplacito* judges ruine  
and oppress us in our Estates. Sometimes they proceed upon the  
*penal Laws*, wherein as Protestants are made only concerned, so  
they are fined under colour of these *Statutes* not only for Offences  
alleged to be committed seven or eight years agoe, but with such  
a repetition of Transgressions, as may make sure of stripping  
them of all they have. And when they find any zealous Protestants  
or true Englishmen, whom those Laws can not extend unto;  
their business is to get such indicted upon the Testimony of sub-  
orned witnesses for *Scandalums* or other Crimes which they have  
a mind to impute unto them. Whereof having found them guilty

by *juries illegally* returned, and villanously packt; they then lay Mulcts upon them, not only above the demerit of their offence, but beyond the value of their whole Estate. By the Laws of England, no man is to be fined but with a *salvo Contentamento* or reserve unto him of so much of his Estate, as may be proportionable to his rank and quality, and suitable to the way and condition of his Employment; but our *Arbitrary* judges, and *Torij* juries have often condemned them in double and treble the value of all they are worth. Witness the Case of Alderman *Pilkington*, who tho both a most loyal person and a true Church of England man, yet because a Patriot of the Rights and Liberties of the City, and that he would not being *Sherif* concur with them in the conspiracy of destroying My Lord *Shaftsbury &c.* by packing a jury to their purpose; He was therefore upon the Testimonie of vile persons, and who hade no credit left to be forfeited, first prosecuted for a *Scandalum* against his Royal Highness, and afterwards both found guilty by a Company of men that thirst after our blood as well as Estates, and condemned by a *verdict* in the fine of *fiftie thousand pound sterling*. And if we endeavour to preserve our Estates from rapine, and our persons from their malice and rage, by confronting their subordned withnesses with the depositions and Oaths of men of the best conscience and highest integrity in the Nation, instead of receiving any benefit by their Testimony, we do but administer occasion for the ruining these Gentlemen in their Reputations, persons and Estates. Thus when Sr. *Patience Ward* late Lord Major of *London* had but appeared in favour of Mr. *Pilkington*, he was himself indicted and found guilty of perjury, and sentenced thereupon to undergoe the pillory as well as to pay a fine to the King. Tho not only all England know him to be a person of that Truth, justice and uprightness, that he would not for his Majesties Crown wilfully tell a lye, but the very Nonsensical and foresworn rascals who came in against him, vouchsafed him upon Oath this Character in the Court, that they believed he would not knowingly be guilty of affirming a falsehood.

And as our Estates are thus exposed and made obnoxious to the Will of the King and the malice of his Ministers; so we are likewise deprived of all the security which we have by the Law of the Land for the freedom and liberty of our persons. How many hun-

hundreds have been committed since his Majesties Restoration, without the assignment of any legal cause, nor could any thing be imagined whereof they were guilty save that the Court had a pique at them for being Protestants, and lovers of the Rights and Liberties of their Countrey? How many have been and are dayly elapt into prisons upon forged accusations, and detained for Months in durance and custody, without being tryed, or having any thing publickly brought against them? How many either for no cause at all, or for doing that which by the Law is their duty, are held to Bayl above the value and proportion of their whole Estates? Have they not to the eluding of the whole Law, found a Trick of thrusting men into the *Tower*, and detaining them there without any relief, during the *Vacation* of the *Term's*, under a pretence that the *Tower* is not within the limits and *precincts* of any Shire or Countrey of the Kingdom, and therefore that they who are prisoners there, can not have the benefit of the *Habeas Corpus Act*, or any other Law, but during the sitting of the *Westminster Courts*? For was not my late Lord *Shaftsbury* even after an *ignoramus* found upon the *Bill* by which he was indicted, held still in close *durance* for several weeks if not months upon this illegal and shameful pretence? It were to undertake to write a *Historie* as large as *Speeds Chronick*, or *Aquinas's Summs*, to reckon up and enumerate all the examples of this kind; and therefore I must begg of the Reader to judg of the *Lion* by his *Paw*, and to be satisfied with a few particular instances. Thus his *Grace* the *Duke of Monmouth*, was without any legal deposition against him, seised and taken into custody upon a warrant granted by Secretary *Jenkins*, at the bare information of a *Torie* Parson who had wrote a letter to *Whitehal* of the Dukes giving countenance to a Riot at *Coventry*. And albeit there was not so much as the Shadow of any such thing, yet he was not only brought up prisoner by a Messenger (in hopes to disgrace him, which he is infinitely above) but was obliged to give *Baile* for his peaceableness, or else must have gone to prison. Where if they had been so fortunate as once to have lodged him, they doubted not but to have eased themselves of all their apprehensions, fears and jealousies from him, by some such way and manner as they have disposed and destroy'd the late *Earl of Essex*. To this may be subjoined their seising Mr. *Pilkington*



and Mr. *Shute* (Sheriffs at that time of London) whom they sent to the *Tower*, and that for no other cause but the overseeing and ordering the *Poll* at the Election of Officers for the following year, which both by Law and Custome was no more than what they were bound and obliged unto in the discharge of their place and office. But to omitt for the present all other examples of this nature in *England*, let us a littl look into *Scotland* where they have erected the compleat pattern of the Tyranny which they hope to exercise over all the three Kingdom's, and there we shall meet with remarkable instances of their Arbitrary procedure in this kind. For not to insist upon their seising and condemning one *Niven*, who died in prison and had his Ship and goods confiscated, meerly for saying that the Duke of York was a Papist, and that being forced to relinquish *England*, he was come to *Scotland* to promote Poperie and Arbitrary Government. Was not Sr. *John Scot* of *Ancrom* cited and brought before the Council upon a pretence of Treasonable words alleged against him by an avowed Enemy, and who acknowledged that he was in another room when the words were spoken. And what a condition had that worthy Gentleman been in, but that he was so fortunate as to have four or five persons of great worth and credit, who were by him when the words were pretended to be said, that cleared and acquitted him. To which I shall annex the Story of one *Hamilton*, who being seised and put to the torture without any process layd against him; was after his enduring it with infinite patience, and to the melting the hearts of his very Tormentors, dismissed without a Trial or any further accusation. And besides diverse others who have been not only apprehended and committed, but adjudged to the *Boots* by his Majesties Council, and yet afterwards *assoiled* and declared innocent by the justice Court of what they were accused, are not almost all the honest, protestant, and true Gentlemen of that Kingdom, either under baile, or in prison, or forced to abscond and withdraw for their safety and security. Can the Reigns of *Caligula* or *Nero* furnish us with an Act of greater Barbarity and Tyranny, than the sending away of above *sixtie* men at one time to be sold as Slaves in *Virginy*, for no other Crime but the being apprehended at *Conventicles*, and the ordering a vessel at an other time to be sunke in the Sea, where there were at least *fiftie* persons lost, against whom

nothing was justly to be charged, but their integrity to God and zeal for the Protestant Religion.

Nor doth the Conspiracy of his Majesty and Ministers against our Laws and Liberties terminate here; but they have extended their arbitrariness and Tyranny, to the wresting from Cities and Corporations their *Franchises* and *immemorial* Rights. And where they have not been able to delude a corrupt party in the Government of a Corporation to make a surrendry of their Chartres; they have found a way by the judgment and sentence of the Kings *Bench*, (where the judges are in the same combination with themselves against the Kingdom) to get them sentenced and condemned as forfeited. It is very well known that many of our Corporations are of a date and standing antecedent to our having to do either with the *Scots* or *Norman* Race. Neither do many of our Corporations merely enjoy their Priviledges by the concessions and grants of Kings, but they possess them by Common Law and *immemorial* Custome. For to pass by other Cities and Corporations, it is known to all acquainted with History, that *London* hath not only been one of the most ancient Cities in Europe, but that it hath time out of mind enjoyed those Rights and Priviledges, whereof it is now rob'd by his Majesty and the Ministers of his lust and Will. Nor did they only possess their Priviledges by Grants and Charters, but they had them confirmed by *Magna Charta* as well as ratified by many later Statutes. And by an express Law the Franchises of London were secured from being forfeited, either by the Transgressions of their Magistrates, or Crimes committed by any of the Community. And tho some mad Kings of England, (which in the Issue proved fatal to them) have sometimes seized the Priviledges of the City into their own hands, yet none of them arose to that height of fury and distraction, as to endeavour to have the Charter it self to be declared lost and forfeited. And as *London*, which was once the *Metropolis* of the Kingdom, and the Envie as well as glory of *Europe*, is no more a City, but by the grace and courtesie of his Majestie reduced to a *ville*; so neither Parliaments nor Kings can by all their unbounded and illimited power restore it to what it hath lost, and by the Tyranny of his Majestie, and the treachery of the Judges is stript and divested off. For albeit it should have restored unto it, all that it held by the gracious concess-

cessions of Princes, and all which the statute Law gave it an original Propriety in, yet if this sentence of the *Kings Bench* be not reversed as illegal, it can never more claim what it enjoyed by *prescription*, nor challenge a rightful interest in those Lands that were heretofore granted unto and bestowed upon the Corporation. For as *prescription* once ending, can never be revived, so Lands settled on a Coporation, upon its once ceasing to be such, return to the *Heires* at Law of the first and primitive *Donors*. And now by the same equity and Right that the King hath rob'd the City of its *Charter*, he may not only disseise all the Colledges and Bodies Corporate in England of their Lands, and deprive them of their Priviledges; but he may dispossess all the Gentlemen of the Nation of their Freeholds and inheritances. For if *petitioning for a Parliament be a justifiab ground*, for destroying the Corporation of *London*, may not most of the best quality in the severall counties, have their Estates wrested from them upon the same pretence? Where is the wonted valour of *England*, or the ancient zeal for our Laws and Rights, that we suffer our selves to be trickt out of Priviledges, Franchises, and Freeholds by *four* or *12*. men in Gowns, when all the armed force his Majesty is Master off, durst not attempt it by open violence? Be at last awakned thou drowsie and secure City, for not only the eyes of three Kingdoms, but of all the Neighbouring Nations are upon thee, to see how thou wilt recent this dishonor, indignity and loss. And if the Names of Traitors and betrayers of Liberties, be due unto those who have been instrumental in or cooperated towards this design, what Titles of Falsehood, Treachery, and Tyranny fall to their share; by whose influence and counsel, and under whose Authority, and in obedience to whose command, all this is done. Is this thy reward for being so instrumental in thy Kings return, and so prodigally liberal to supply his wants upon all craving occasions since? Or is it to be revenged upon thee, for the assistance which thou afforded the Nation in the last War? Or is not this and the selling, or fraudulently obtaining, the Charters of other Corporations, in order to the moulding a Parliament to the Kings lust and humour, and the getting the representatives of the Nation to betray the Kingdom to Popery and Slavery? And if we look into the neighbouring Kingdom of Scotland, we shall besure to find something paralell unto, if not transcending, what

what they have don' here. For besides their late invasion upon the Rights and Priviledges of the City of *Edinburgh* and other Corporations, in denying them the freedom of chusing their own Magistrates, and imposing upon them such as they judg proper to assist them in their Conspiracy against that Kingdom, have they not rob'd and deprived many Lords and Gentlemen of their Hereditary Right of being Sheriffs in Shires and Counties. Nor did they think it enough to endeavour to strip the Earl of *Argyl* of his hereditary Office of *Sheriffalty*, but they would have wrait-ed from him the Office of *Justice General* of the Isles, *Argyl* Shire &c. which his honorable Ancestors have for some hundreds of years posselt by as good Right, as any of the Kings of *Scotland* have their Crown and Throne. And because this Noble person would not tamely abandon his Rights, nor suffer them violently to be torn from him; they have found ways and means to get them and all else he hath, declared to be forefeited, upon the most malicious and unreasonable prosecution, and the most unrighteous and unjust condemnation, that ever was heard of in a Kingdom pretended to be Governed by Laws.

But are we more safe or secure from their Malice and Tyranny in our Lives, than in our Estates, Liberties and Franchises; or are not these made as subject to their Rage and lust, as any thing else that we have used to call our selves Matters off. For should they only oppress us in our Liberties and goods, we might live to resent it and reveng' it upon them; but by destroying us, they deliver themselves from the danger of being called to an account. The *Jesuites* know that the way to convert *England*, is to kill the Inhabitants and convert the Land. And his Majesty judgeth it more eligibl', to be a King with few Subjects, than to Reign over a great people, and not be Arbitrary and Despotical. What was the *Po-pish* plott designed unto (whereof his Majesty was both the principal Author and Chief Conductor) but to destroy and root out those that are not willing to be Papists? And what is the ultimate End of our League with *France*, but the being inabled in due time, to kill and extirpate such, as are not contented to be Slaves? Both the Wars against *Holland*, were begun on the hope and prospect that when we had beaten and subdued them, his Majesty might then employ his victorious forces for the enslaving the Na-

tion, and cutting the throats of all such as should dare to repine or murmur. It was in order to such a service that the *Black-heath* Army was first raised, and then disposed under the command of *French* and *Popish* Officers. Nor was there any other Motive of his Majesties wheedling the Kingdom into a belief of a War with *France*; but that having upon so specious and plausible a pretence gotten an Army to be raised, he might use them neerer home, for the conquering of *Brittanie* to the Church of Rome and the Will of the Prince. And had it not been for the seasonable detection of the Popish Plott, we might before their disbanding have seen the Land sated with the blood of Subjects. The *Scotts Act of Parliament* by which his Majesty is to have 22000 Men with an allowance from the Countrey of 40. day's provision, to be employed where he pleaseth, was at first calculated in subserviency to such a project; and the *Dukes* attempt when he was last in *Scotland*, of getting this offer of an occasional assistance of 22000 Men, changed into a constant standing Force of 5000 foot and 500 horse was visibly to compleat our slavery, or to murder us in case we should refuse to part with our liberties. But their designs of destroying us by hundreds and thousands, having hitherto miscarried; they have been taking us off as fast as they can, by two and three at a time. And tho they have not yet taken the courage to cut our throats in a way of violence; nevertheless they have been destroying as many as they are able under the covert and Form of Law. And till the houre come (which they so earnestly long for) of slaughtering us in our Shops or beds, they are making what progress and hast they can, in murdering us at their *Bars* and in their *Courts of Justice*. The first step towards it, was the hiring and suborning witnesses, to swear Treason against such as they had a mind to be rid off. And to promote this, his Majesties *Closet*, and *Secretaries Jenkins Withdrawing Room*, were turned into places for keeping the office of *subornation*. By this means they essayed two year agoe, to cutt of the late Earl of *Shaftsbury* and several others. But the Roguery being known, and the villains whom they had suborned, discovering to diverse that they were so; Honest *juries* would find no man guilty upon their Testimony. Yet having missed the murdering of one poor man at *London*, they hurried him to *Oxford* and got him destroyed. And this is remarkable that *Mr. Wil-*  
*mor,*



nor the Foreman of that jurie which brought in an *ignoramus* upon the Bill of indictment against *Mr. Colledg*, was one of those persons to whom the witnessses that accused *Colledg*, had confessed their being suborned, and what their rewards were to be for swearing him and others out of their lives. Yet because the *jurie* would not believe them in a matter which themselves had owned to be forged, and wherein they not only contradicted one another, but had the depositions which they were to swear written for them, and which they were forced sometimes to consult in the very face of the Court; have all those jurie men been publicly exposed and reproached, and *Mr. Wilmore* sent to the Towre where he lay several months, without once knowing who had charged him, or ever having any legal process brought against him. However this misadventure at London against *Mr. Colledg* first, and afterwards against My Lord *Shaftsbury*; put them upon obtruding such *Sheriffs* on the City, as should be sure to return juries adapted to their design. For being upon the forming an other *Sham* plot, and having made fresh Recruits to their old set of witnessses, they only wanted *Sheriffs* to their mind who might returne juries moulded, and prepared to destroy any that the Court should think fit to accuse. And accordingly they forced and imposed *Norib* and *Rich* for *Sheriffs* upon London, contrary to the choice of the Electors, and to the contempt and overthrow of all the Rights of the City. Nor was there less to be expected from that day forward, than that having gotten *Sheriffs* of their own complexion, and such as were every way fitted for their Turn, they should before the expiration of the year proceed to the cutting off some of the most eminent Patriots of our Religion and property. Nor was *Sr. George Jefferies*, (who is thoroughly acquainted with their design) affray'd or asham'd to own it. For having after the conviction of *Sr. Patience Ward*, desired a meeting with him at *Sr. Roberts Claytons*, he not only told him in an insulting manner, that he had satisfied his revenge for his loss of the *Recordership*, but that having obtained such *Sheriffs* as they desired, they had now the Law in their hands, and could have the life of what man they pleased. Nor hath the event failed answering the threatning and prediction, witness the murdering under a Form of Law of that incomparable person My Lord *Russel*. Who had he been guilty of all whereof he

was accused, yet could not legally have been adjudged to death. The whole of what was villanously sworn against him arose but to misprision; yet through the Threachery of the judges, and the barbarous injustice of a pack't jurie, was that Religious and zealous Protestant, and honorabl Patriot of our Laws and Liberties, condemned and slaughtered to the universal grief of all honest men in the three Kingdom's. Nor will any mans innocency be able to secure him, when such are empannel'd and return'd upon Inquests of Life and Death, whose whole behaviour as well as principles declare that they thirst for the blood of all who are either true Englishmen or sincere Protestants. It were more honorable in the King and his Brother, to command the having us massacred in streets, than thus to destroy us by the malicious *Verdicts* and judgments of our avowed and sworn Enemies. Only they think in this way to murder our names and reputations, as well as our bodies; and with the shedding of our blood, to fasten an infamy upon our Memories. But as it is to be hop'd that our honor and esteem will revive, when the Names of the present Ministers shall rot and perish; so thanks be to God, we are in the opinion of all rational and vertuous men acquitted from the ignominy as well as the guilt of those Facts, which they seek to destroy us for. But lett us a little divert our thoughts to the Neighbouring Kingdom, and there we shall find as barbarous and execrable instances, of injustice and cruelty exercised against the lives of Eminent and Loyal persons, as any we have occasion to observe here. And the first example of their bloody Tyranny, which I will take notice of in *Scotland*, shall be the condemning one *Blackwood*, on a pretence of having received persons upon his Ground who where reported and said to have been at *Bothwell Bridge*. And as they were neither in the *Porteous* Rolls, nor had any proclamation or process issued out against them, by which *Blackwood* could be obliged to know their case, or otherwise to be a criminal and an offender; so it was both after a general indemnity granted, and after the Council themselves had overlookt them for four years, that they either came to be accused, or this Gentlemen prosecuted upon their account. To this may be adjoined the unparelled and unpresidented procedure of the Duke, with the approbation and concurrence of his Majestic, against the Earl of *Argyle*. Who as he was one  
of

of the first rank and quality in the Kingdom, so he had served the King with his parts, person, and Estate, beyond what most men of any degree whatsoever in the Nation, either had done, or were able to perform. And indeed if he be justly chargeable with any thing, it is for having served his Majestie too long, and with too much zeal and affection. But let a person goe never so far in compliance with and obliging our Court, yet he not only loseth all the thanks which he deserved, but comes to be treated as a Traitor and Rebel, if he fall not in with their Councils for the establishment of Popery, and yeeld not himself an Instrument in their designs of Tyranny and Arbitrariness. What might not that Nobleman have enjoyed both of favour, wealth, and Authority, if he would have joined in the conspiracy against the Protestant Religion, and the Laws and Liberties of his Countrey. But for preferring the Truth and Glory of God to the lust and pleasure of his Prince, and for valueing his Conscience and honor, above the countenance and esteem of the Duke, he hath derived upon himself all the malice and rage of the Court, and notwithstanding his untainted Loyalty hath been arraigned and condemned as a Traitor. None who read his accusation, but must think his Enemies *delirous* and *lunatick*, as well as highly unjust and revengful. If they had not lik'd his *Explanation* of the *Test*, could they not have rejected it, and reckoned him in the number of Refusers? But after he had allowance from his *Highness* to make that *Explanation*, and after it had been so far accepted, as that he was admitted to take his place in the Council; to prosecute him for *depraving his Majesties Laws* and for *Treason*, was such a peice of Barbaroutness, injustice and Tyranny, that the Reigns of *Nero* and *Caligula* do scarcely paralell. Neither was there any thing in the *Explanation* it self, but what was lawful by the Laws of Nature and Nations, and became a man of honor and conscience to do. All he said, was *that he was willing to take the Test as far as it was consistent with it self and the Protestant Religion, and that he would not be otherwise bound up, but that in his Station and in a lawful way he would wish and endeavour such Alterations, as he should think to the advantage of Church and State, and which were not repugnant to the Protestant Religion and his loyalty.* Is not every word here so far from containing the shadow of a crime, that the utmost which all and every

one of them do import, was but his indispensabl duty, as a Christian, a Scotts Subject, and a privy Counsellor to his Majesty. And yet for this hath he been arraigned, and by means of a pack't jury and mercinary Judges condemned as a Rebel and Traitor. Nor have they only in the pursuance of this unrighteous Sentence seised his whole Estate, divested him of all his Titles and Dignities, and contrary to the Custome of the Kingdom, despightfully torn his coat of Arms at the publick Mercat Cross (which useth not to be done except by Order of Parliament and for the crime of *perduellion*) but they have hunted after him through all Kingdoms whether they thought he may be gone, and have sent the Lenth of *Hamborough* to find him out. What rational man after so many examples of cruelty and injustice, can believe either his own life, or the life of any other person to be secure? For have not his Majesty and his Royal Highness brought it to that pass, that they have judges and juries, who are as malicious against Protestants, and as revengful against the Assesters of the British Liberties, as themselves are? And had we not as good chuse to die Mutes, as to wast our spirits in a defence of our innocence, where the whole Court is before hand resolved, to destroy us. And in case there be a defect of seeming proof to the laying us under some umbrage of guilt, they will nevertheless cut us off upon the point of expediency. But if at any time it should so fall out, that they have not so much as the colour of a crime, upon which they dar venture to indict us, yet even in that case we are no white the more safe, but our lives are as much in danger, as if their suborned witnesses through having enjoyed opportunities of talking with us were able to improve that into an occasion of swearing falsely against us. For what they are not able to effect by corrupt judges, malicious juries, and suborned witnesses; they will endeavour to have accomplished by *assassinates* and hired Murderers. Wherein *Westminster Hall* and the *Old Bayley* can not sufficiently assist them in their designs of injustice and cruelty; they have their recourse to the *Dagger* and *Razor*. Nor is there any man either Friend or Enemy, who makes so much as a doubt of the Earl of *Essex's* being thus destroyed, and murdered by them. Wat do they less than own themselves in effect to be the Authors of that barbarous assassination, by hindring all enquiry into the way and manner of the death of that  
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great and noble person. One would think that there could not be a greater service done to the world, the Nation, Common Justice, and the honor of the Government, than to search out and detect the Instruments of so horrid a villany; yet our *Court* have set themselves in the most illegal as well as severest manner, to persecute Mr. *Braddon* for offering to appear and meddle in that affaire. Can any man be so partial for the King and Duke, whom this may not convince, that they first contrived that execrable Fact, and that it was committed in obedience to their command. The Earl of *Essex* was a more Religious as well as a more Heroick person, than to entertain either so mean or so ungodly a thought as that of destroying himself. Such an Act was inconsistent with his Temper, as well as repugnant to his principles. It was impossible for him to attempt it as he was an excellent Christian; and below him as he was a Gentleman of high courage mixed and accompanied with wonderful calmness and sedateness. Nor was there the least cause, why he should offer violence to himself. For as he was not aware of being under any guilt, that could legally bring his life into danger, so he very well knew that none of all the witnesses of the present pretended plott, could so much as say that ever they had spoken with him, except only My Lord *Howard of Efesrick*. For as his Religion and loyalty had preserved him from all criminal offences; so his Wisdom had kept him from giving an opportunity to that kind of rattle to talk with him. And had he been conscious to himself of any crime that could have made him obnoxious to the Law, he might not only have withdrawn before he was apprehended; but he had an occasion offered him of escape after he was taken. Nor was it practicable that any man should cut his own Throat, after the manner, measure and degree that his was cut. For the fatal wound had not only cut both the *gullet* and *windpipe* and pierced into the *Vertebra* of the neck, but it extended from *jugular* to *jugular* and from Ear to Ear, which in the judgment of all *Doctors* and *Chirurgeons* was impossible for himself to do. Nor is it only demonstrable from the Nature of the Gash and wound, and the manner of Fact, that it was perpetrated upon him by the bloody, barbarous and violent hands of others; but there are witnesses ready to inform and depose (whensoever they may do it with the safety of their own lives) that they heard him cry



cry out *murder*, when the hellish Assassins were forcibly assaulting and committing the Fact upon him. What words can express the barbarity and horridness of this bloody Crime? What mind can conceive horror proportionate to the Excrableness of such a Fact? Or what heart can entertain sufficient hatred for the Authors of it? By the Law of the Land and the Customs of Nations, the Body of a person that is come to an untimely End, ought to lye in the place and posture that it fell, till a jury and inquest have passed upon it. Nor can there be any thing more needful as well as rational; seeing they will thereby be the better inabled through an observation of circumstances, to give a judgment and Verdict of the manner of the parties death. But the Earl of *Essex* was no sooner killed, than that the blood was washen away, and the Body removed into an other Room. Which was purposely done, to prevent the jury from a knowledge of those circumstances which would have enlightned them as to the way means and manner of his End. But that very thing by which they sought to obscure and conceal the murder, is an evidence and demonstration of their being interested and concerned as Authors and Accessories to the perpetration of it. Alas poor *Essex*! is this the recompence of all thy own loyably and service to the Crown, and of thy Fathers laying down his life upon a Scaffold in the Royal cause? Is this the reward of all the sufferings which thou underwent for the King, and of all those great things which thou hast performed for the support of his dignity and Government? Didst thou by thy interest and conduct help to keep the Crown upon thy Princes head; to be thus requitted with the cutting of thy Throat by his Order and appointment? The *Meal Tub* plott wherein thou wert to have been involved with many other innocent Gentlemen, was not only an infallibl evidence of the boundless and implacable malice of the Court against the, but a certain prediction and sad presage of thy falling at some time or an other by their cruel and bloody hands. Since the day, great *Essex*! that thou declinedst to concur with the King in the introduction of Slavery and Popery, he hath been conspiring and contriving thy ruine. And seeing thou wouldst not renounce thy God, thy conscience and thy honor to be theirs; they resolved that thou shouldst not belong thy Countries, thy Friends, thy Families, or thine own. But was it

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not enough that they contrived and ordered thy murder; but to the subversion of all Societies, they should bribe and employ thy *Servant* and *Keeper* to be thy *Assassinates*. What man of Quality in the three Kingdoms is safe, if his Majesty and Ministers will become Instruments to tempt and hire their *Domestick* and *Menial* Servants to Poyson or stab them? By the Constitutions of all Nations as well as England, every Prisoner is supposed to be in the custody of the Law, and if he perish (unless by a natural death or a legal Sentence) the Government is responsible for him. For a person in those circumstances and condition, being no way's able to defend himself; the Law of the Land is security for his forthcoming, and those trusted with the administration are to be answerable for him if he miscarry. Must the Royal *prisons* as well the *Palaces* of our Princes become *Shambles* and *Slaughter* houses for the murdering of Subjects? Having through our tameness escaped for the fact committed upon *Sr. Edmond Bury Godfrey* at *Sommerfet house*, they have been emboldned to perpetrate the like upon the *Earl of Essex* in the *Tower of London*. But was it not sufficient for the King and his Brother to have plotted and commanded the Assassination, but they must that morning come to the Tower to hasten and encourage the Villains in committing the hellish and bloody Fact? And could they not be contented *Great Essex!* to destroy thy person; but by making the *Felo dese* endeavour to leave a perpetual blott upon thy Reputation and Name? Virtuous and Magnanimous soule! we know thee to have been innocent of so base a Fact; and as the infamy lyes already upon others, so it is to be hop'd that in due time the blood of some of them will be made a recompence for thine.

Having layd open both their betraying our Religion and their conspiring against it, and having detected their undermining our Civil Rights and Liberties, and their trampling upon them, and having unmasked the designs which are carying on against the lives of Protestants, and how many they do dayly murder; it remains that we take a brief Survey of their invasion upon the Freedom, Authority and jurisdiction of Parliaments, and how they have made them already useles and insignificant, and have contrived to lay them finally aside. It is not only known to all English

men, but to all mankind that understand any thing of our *Constitution*, that Parliaments are as Essential a part of the Government of this Kingdom, as Princes and Kings themselves are. The Nation hath been, and may be without Kings, but it never was without either actually having, or enjoying a Right (answerably to the exigency of affairs) to have Parliaments. And tho Parliaments have sometimes deposed and dethroned Kings when they have found, them lustful, oppressive and Tyrannous, yet never any King was hitherto able finally to cashier or lay aside Parliaments. They have often determined and disposed of the Succession, in Translating the Crown from those that were immediate heirs, and settling it upon such as had no Titles but what their acknowledgment gave them. Nor is it our Right by the Constitution only to have Parliaments, but by the ancient Laws of the Kingdom we ought to have them *once* a year or oftner if need be. For this we have not only two *Statutes* made under *Edward 3.* but it was our due by a Law of a more Ancient date enacted under *Alured the Saxon*. And as Parliaments should be *annually* called, so by the Law they are not to be dissolved till all the Matters and concerns of the Nation be transacted and issued, for which they were called, and the determining whereof is necessary to the peace, safety and prosperity of the Kingdom. And to prorogue or dissolve Parliaments while the condition and State of the Kingdom requires that they should continue to sit; is not only a failure in that duty which the King owes unto his people, but it is *a violation of the Oath by which he is bound unto them*. For the power of calling and dissolving Parliaments is not a *prerogative* of the Crown, in the virtue of which he may do in this matter as he pleaseth; but it is only an honorary *Trust* reposed in him, which he is obliged to apply and use for the good of his Subjects. And our *Judges* might do well to remember that *Tresilian* and *Blake* were condemned and executed as Traitors in the time of *Richard 2.* for affirming among other illegal things, that *the King might dissolve Parliaments whensoever he pleased*. Nor is this to be wondered at, seeing if the *Calling* and *Dissolving* Parliaments depended upon the arbitrary will of the Prince, our Right unto the having of them would be very insignificant, and they themselves would prove little worth. But as the Having of Parliaments is an essential part of our Constitution, and as the having

4. Ed. 3. c. 14.  
36. Ed. 3.  
sup. 10.  
Cook's 9. Rep.  
fol. 1. in the  
Epist

In lib. in qui  
inscribitur mo-  
dus tenendi  
Parliam.

having them frequently is secured into us not only by the End they are ordained unto, but both by Statute Laws and the Kings Oath; So being once called and assembled, they sit in a fivefold capacity. First under the Notion of representing the people as free Subjects. And under this consideration, they are to lay before the King the invasion upon our Liberties and Rights, and by petition and address to see to the preservation of all the Privileges which belong unto us by the Acts and agreements between us and our Princes, and whatsoever we may claim either by fundamental or statute Laws. The second capacity in which they sit is under the Notion of the Great Inquest of the Kingdom. And so they are to enquire into all the Grievances of the Subject, into all the Oppressions of the Kings Ministers, and into the illegal Grants, Patents, Commissions, Pardons and whatsoever Acts the King may be charged with in his administration contrary to Law. Thirdly they sit in the Quality of the Kings Great Council. And as such, they are not only bound to advise him in reference to all foreign and domestick affairs, so as may be for the prosperity and welfare of the Kingdom, and the Stability and honor of the Crown; but the King is bound to hearken unto them, and to acquiesce in their Advice. Fourthly, they are the High Court of Judicature of the Kingdom. So that not only appeals may be made unto them by Writs of Error from all other Courts; but they have a power of judgment and execution over all the Subjects, without a right in any to decline or appeal from their Authority. And it belongs unto them under this consideration, to cite, censure, impeach, and sentence any man whatsoever, according as they shall find by Common, Statute, or Parliamentary Law, the demerit of his Crimes to be. Lastly, they are a great part of the Legislative Authority and Power. And as such it not only belongs unto them in conjunction with the King, to alter, repeal and enact Laws; but in all Bills of Right, the King is bound by the Nature of his Office, the End unto which he is chosen, and the Oath which he takes at his Coronation, to consent unto and concur in the ratification of such Bills. Now what better care could our Ancestors take both to secure Parliaments unto us, and to make us happy in them; then these things import and amount unto. But alaz! the whole study and endeavour of his Majesty, hath been ei-

ther to make Parliaments the vassals and Instruments of his will, or the Subjects of his Arbitrariness and Tyranny. He know's that the bondage and thralldom under which he designs to reduce these Kingdoms, can never be fully effected and compleated, while we have such Parliaments as by the Law we ought, namely du'ly chosen, frequently to sit, and *untampered* with after they are assembled. And therefore one of the chiefest parts of the present conspiracy of his Majesty, the Duke, and the Ministers against the Kingdom; is either to corrupt Parliaments, or to cross them in all that they endeavour to do, or else wholly to rob and deprive us of them. It were endless to repeat all the invasions upon the Rights, Privileges and Jurisdiction of Parliaments, or to lay open the many affronts put upon them, the frequent proroguing and dissolving them when the condition and state of the Nation required their continuing to sit, and the endeavouring to disgrace and defame as loyal Parliaments as ever England had; and therefore I shall only intimate a few particulars, by which the Conspiracy of the King against the Liberty, Privileges & very being of Parliaments may be made obvious and apparent. The first attempt hath been to corrupt Parliaments, and by what was instituted for the means of our safety, to promote and accomplish our Ruine. In subserviency hereunto they have made sure of the Majority in the House of *Peers*, not only by making such men *Bishops* who have neither Religion nor moral Vertue, but by creating a great number of new Temporal *Barons*, of whom the most do either entirely depend upon them by reason of their Offices and Places, or else are as much in the plott for Popery and Arbitrariness as themselves. To this we not only owe the obstruction of the justice of the Nation as well against the Popish Lords in the Tower, as many other high and enormous Offenders; but the rejection of many good *Bills* prepared for the security of our Laws and Religion, and particularly that for the *Exclusion* of the *Duke of York*, a person who both by his inclination and his defection to the See of Rome, pursues the enslaving and destroying of the Nation. So that all the obstruction which they fear from a Parliament to their design's, is only that which the House of Commons may be in a condition to give them. And this they are labouring in the most illegal, arbitrary and tyrannous way's, to save themselves from  
the



the apprehensions of ; by moulding and corrupting that *House* to their Lust and Will. For besides what they have already done, partly in making *Elections* so expensive that honest men are ashamed to stand, partly in bribing Electors to betray the Nation by giving their votes for unworthy men, and partly by appointing and constituting those for *Sheriffs*, who to gratify and comply with the King, are sure to make false *Returns* : I say besides all this which is directly calculated to the undermining and blowing up the freedom and integrity of Parliaments, they have at last fallen upon the wresting of Charters from Corporations, in order to make all the Cities and Burroughs of England (which elect three parts of four of the Members of Parliament) vassals in their choice to the pleasure and command of his Majesty and his dearly beloved Brother. Nor is there any thing belongs to Parliaments by the constitution of the Government, wherein they have not made invasions upon them, and trampled on all their privileges and destroyed their Rights. For let their Petitions and Addresses be never so modest or just, and the matters represented in them never so weighty and important ; yet our Gracious King that pretends so much to Rule by Law, does not only refuse them with indignation and scorn, but turn's them into derision and ridicule. And as for their advice, which as they are the Kings Great Council, they are bound to give, and his Majesty obliged to hearken unto ; how little hath it been regarded seeing the greatest affairs, and those which do most nearly concern our subsistence as well as happiness, have been not only agitated and concluded without it, but resolved upon and determined contrary thereunto. To all former instances of which kind, they have added a fresh one in the dismantling, and forsaking *Tangier*, which the Parliament was not only so careful to have preserved, but in order thereunto would have annexed it to the Imperial Crown. And as if it were not a sufficient violation of the Kings Oath, and an open invasion upon the Privileges of Parliament ; to prefer private and unknown Counsels and such as are destructive both to Church and State, to the wholesom, faithful and safe advice of his high and greatest Council ; his Majesty hath of late assumed that arbitrary and absolute power as to exclude them from meddling in those things which are most proper unto them. Witness those Answers which he gave to the Addresses and

See the Kings  
speech May  
28. 1677.

Applications of Parliaments, in order to his Majesties concerning Alliances for checking the growing power and threatening Great- of France. For he hath not only to the breach of that Faith and trust which is reposed in him, contemptuously rejected their advice, but hath had the confidence in the face of both Houses, to up braid them *as entrenching upon his prerogative and the undoubted Rights of the Crown*, for offering to Counsel him in a matter which in all ages hath uncontrovertibly belonged unto them. And as to their Priviledg, Right and power of impeaching delinquents, how hath the King not only obstructed all proceedings against the most enormous transgressors of the Law, and betrayers of our Liberties and Religion; but admitted into his special favour, and exalted to the highest Trusts, such whom the Parliament have judged worthy of capital punishments, as well as to be publickly accused and branded. So that the surest and most compendious way to enjoy the distinguishing favour of the Prince, and to be advanced both to dignities and honors, as well as places of profit and advantage, was to fall under the displeasure of the Parliament, and to be made obnoxious to punishment by their censures and impeachments. And to this alone ground and motive doth my Lord *Hallifax* owe his advancement to the honor of a *Marquess* and the place of *Privy Seal*, and Sr. *George Jefferies* stand indebted for his preferment to be *Lord Chief Justice of England*. But if any do acquite themselves honestly, and as becomes Englishmen in the Election of Members, or being such as are chosen, discharge their duty to God and their Countrey with integrity and fidelity in the House; they are sure not only to be turned out of all places of Trust and gain, but to fall under the displeasure of the Court and the persecution of the Government. Nor do most of these Gentlemen who are under confinement and in danger of their lives upon the present pretence of a plott, suffer on any other account, but for behaving themselves in Parliaments as became men of honor and conscience, and for answering the Trust which the Kingdom had reposed in them for the preservation of their Estates, Liberties, Lives and Religion. And thou great and incomparabl *Russel*, wast<sup>d</sup> made a sacrifice and victime to the Malice, Rage and Tyranny of the Court, not for being guilty against his Majesties person or his Government, but because of thy courage and zeal in the *House* of

of *Commons* to save the Nation from Slavery, and the Reformed Doctrine and Worshipp from Romish Superstition and Idolatry. Nay they are come to that measure and degree of contempt and hatred of Parliaments, that the King and his publick Ministers have not only countenanced the Ridiculing and exposing them in dayly prints, but his Majesty himself hath taken upon him to defame and arraign them in his *Royal Declaration*. And as if it were not a thing whereot they are ashamed or affray'd, the King himself hath been heard to say, *that he would make the Name of a Parliament to be foregotten in England*. Nay they have already expressed there despite to that degree against Parliaments, that they have not only by a *Royal Proclamation made is criminal to petition for one*, but have made a *modest Address unto his Majesty for the calling and sitting of a Parliament*, the Chief and principal ground of their Declaring the Charter of London to be forefeited, and of seising it into the hands of the King. His Majesty might to do well to remember that not only *Tarquin* was deposed, banished, and the Government changed by the Romans, *quia morem de omnibus Senatuum consulendi primus solvit*; because he abolished the custome of consulting and advising with the Senate in all affaires; but that the dethroning of *Richard 2.* and *Edward 2.* by our Ancestors, and their waging war against *John* and *Henry 3.* had their rise and source from the same cause. And if the King would but vouchsafe to consult the Histories of his Predecessors, and the fundamental Laws according to which he ought to Govern; he would find that among other Articles objected against the *Richard 2.* when he was forced to resign the Crown, he was charged with putting by Sheriffs lawfully elected, and placing his Favorites in their room contrary to the Law, his Oath and his honor. But I find my self engaged on a subject where *inopem me copia facit*, redundancy of matter restrains and confines me from saying any more. Only I shall begg and desire of my Countrey men, to recollect and bethink themselves where about thy are, and into what state and condition of vassalage and slavery the King hath brought and reduced them. For not only all thy Priviledges, Liberties, Laws and Rights are subverted and trampled upon, O poor England! but thy legal Government is overthrown and dissolved; only there are none yet found, who have the courage to declare in the face of the world that

*Matth. Paris* that it is so. It was not only one of the *Laws* of *Edward the Confessor*, *quod si Rex desit officio, nomen Regis in eo non constabit*, that if the King faile in the discharge of his Trust and Office, he no longer deserves nor ought to enjoy that Name; but the *Historian* tells us that the *Sword* called *Curtana*, which hertofore was carried before our Princes at their Coronation, did signify the Authority and Power which the people had to withstand and restrain them, if they deviated from the Law in their Administration.

I am sensible that what is here offered and layd open, will make no impression upon the King, nor any way's influence him to change the counsels and measures which he hath so long pursued. For as he slight's all the obligations and Tyes by which he is bound unto his people, so he is both regardless of his Fame and credit here, and feareless of the judgments of God in the world to come. And as the person is very well know'n, in whose Chamber the King having found a *Bibl<sup>p</sup>*, did thereupon reproach him *as one of less wit than he had taken him to be, in that he troubled himself with such a Book*; so there are some at Court who can very well remember, how that his Majesty having been told, what infamy the Historie of his Life and Reign would entail' upon his memoir when he was dead, replied in a phrase unbecoming any but himself, *that he cared not if the world made a whistle of his breech when he was gone*. It is to you therefore O Freeman of England! that these discoveries are address'd and consign'd; and for your sakes and the information of the thinking and rational part of mankind, are these things here deduced and unfolded. You ought to talk no more of your Liberties and Priviledges, but to list your selves in the number of *French Pefants*, and *Turkish Vassals*. A Popish *Cabal* is to be instead of your *Parliaments*, and *Edicts* and *Proclamations* are to supply the room of your *Laws*. To you also O Kingdoms of Europe! do we make our appeal, and commit the power of judging between *Charles the Second*, and his *Subjects* of *England*, *Scotland*, and *Ireland*. Are there any of the Free Nations about us, that can paralell us in point of Tameness and patience, as well as for Loyalty and Fealty? For have we not without making the least opposition or resistance (save what a few weak and oppressed people, were partly trapan'd and partly forced unto in *Scotland*) suffered all these invasions upon our Rights, all these subversions of

of our Laws, all these conspiracies for the extirpation of our Religion, all these Forged and Sham plots for the destruction of our Lives, and all these Murders and Assassinations committed upon our persons? Nor is it a *Cesar* or *Charles 5.* that we have endured these things from, whole wit and courage might in some measure excuse our cowardise; but we have connived at, and suffered them from a new sett of *Sardanapali* and *Heliogabali*, which increaseth our infamy as well as addeth weight unto our Chains. For as one said in the House of *Commons*, tho' it might be ascribed to our prudence, *to be the Horse to cary the Lyon and Fox to the wood*, (the one being a creature of craft and the other of strength) yet no Apologic can be made for complying to cary *Hogs* and *Baboons* thither. So that our sottish bearing is both become our reproach and the matter of the worlds amalement; nor can anything but the vindicating our Rights and redeeming our selves from slavery, restore us to our ancient honor, and make us again become the Subject of all mens commendation.

Now having after all that the King is chargeabl' with against our Religion and Laws, behaved our selves peaceably and with an unpresidential Loyalty; we may the more justly complain of his Majesties late *Declaration*, wherein he is pleased to asperse so many of his Protestant Subjects with the guilt of Treason, and of a designed Assassination. That which in the last place we will therefore apply our selves unto, shall be to shew with what barbarity as well as falsehood we are there accused and defamed. And how can it be reasonably hop'd that he should deal sincerely and above board with the world, whose whole course hath been to deal deceitfully and treacherously with God. He who seeks to impose upon the Alseeing and Almighty Majesty of Heaven and Earth, can never be thought to scruple the deluding Nations and abusing the credit of mankind. What faith can be given to a person, who is a *Protestant* in the *Chappel*, and a *Papist* in the *Closet*? This *houre* at the *Mass*, and the *next* at the *Liturgy*. Bearing a part in the Romish Ceremonies of *Christmas Eve* at *Summerset* house; and communicating the next day according to the manner of the *Church of England* at *Whitchal*, personating the profession



of a Religion which he hath not only secretly renounced, but seeks by all means to extirpate; and declaiming against a Worship which he hath both personally embraced, and frequently vow'd to introduce and establish. His whole live is made up of contradictions, and to save others the trouble of charging him with falsehood, he employ's his own Tongue in whatsoever he say's or doth to give his heart the lie. Nor is he to be understood in what he swears to God, or promiseth to Man, but by reading him backward, and construing him directly contrary to what he would appear. We ought never to forget with what solemnity he took the covenant, and with what perfidiousness he broke it. If ever he seem'd sincere in any thing he did, it was in binding his Soule by that tremendous Oath. And yet that the world might have an instance both of his treachery towards men whom thereby he sought to delude, and of his contempt of God whom he had invoked as an Avenger of perjury, he hath not only openly and avowedly violated it, but made it be burnt in all the three Nations by the hands of common hangmen. What integrity can there be in the Declarations of that Prince, whose most sacred Oaths are acknowledged by himself to have been a designed cheat? Nor will any but Fools give credence to a person, who hath a *dispensation* before hand to deceive, and an *Absolution* for it when he hath done. Besides the Religiousness of such an End, as the Extirpating the *Northern Heresie*, and destroying Protestants; is enough to sanctify all the means (how unnatural and irreligious soever they be) that lye in a subserviency to it. The introducing the Catholick Worship, and subjecting three Kingdoms to the Triple Crown, is able to transform vice into vertue and to render the murdering such as *Essex* and *Russel* meritorious Deeds.

We would also hope that from the Observation which the World hath made of the Kings insincerity in former *Declarations*, they will learn how little faith and credit ought to be given unto his Majesty in this. It obtains to a proverb in reference to persons of all other ranks, that once a liar and never to be believed; but may be our Prince by vertue of being Defender of the Faith, is discharged from the Laws of Morality that the rest of Mankind are obliged unto.

unto. Nor is it a small advantage which he enjoy's by being reconciled to the Church of Rome, and under the conduct of the Jesuites, that he can impose upon and abuse the world, without obnoxiousness to the charge of falsehood. With what seeming appearance of Truth, and specious face of integrity, was the Kings *Declaration* from *Breda* both penned and obtruded upon these three Nations? And yet his Majesties whole design in that paper, was only to wheedle and delude an easie sort of people, and to flatter them in to hopes of what was never really designed nor intended. For notwithstanding that the good opinion begotten and raised in the minds of men by that *Declaration*, was one of the chiefest means of his peaceable reception into his Kingdoms; yet that being once obtained, (which was all his Majesty aim'd at) we have found our selves deceived as to all we hoped for else upon the faith and credit of the Royal word. And to this we may subjoin that other famous *Declaration*, emitted upon the shutting up of the Exchequer. Where tho the Sacred Word and Royal Faith were in plain and emphatical Term's layd to pledg; yet the Events have no way's corresponded or been agreeable to his Majesties promises. Whence we may justly conclude, how litt' Papers bearing that Title and prefaced with C. R. deserve our subscribing to the Truth of them. Nay if there hath been the least sincerity in any of all the *Declarations* which he hath published, or in any of the publick *Speeches* which he hath made since his returne, we are then contented that this may have an entire and universal credit given unto it. But if there hath been nothing of candor or integrity in any of these; we may then hope the world will believe, that his Majesty hath not deviated in this from his common and constant practice.

Nor is it matter of wonder that the King should publicly slander and arraign a few private Subjects, having scandalously charged and accused two of the most loyal Parliaments that ever the Nation chose. What better Treatment can particular Gentlemen look for from a Prince, who hath publicly defamed the Representatives of a whole Kingdom? For after he had contrary to the Trust reposed in him, and with a violation of that sacred Oath by which he is bound unto his Subjects, rejected all their Counsel

and advice; stulted betrayers of our Laws and Religion from justice; and trampled upon the Rights and Priviledges of Parliament; he at last not only dissolved them when they were endeavouring with the utmost care and fidelity to save and preserve the Nation, but he pursued, accused and reproached them in a false & libellous Declaration. And according to the ingenuity, Truth and justice of his Majesties procedure against these two Parliaments, we are willing the world should make a construction and judgment of his dealing with us. If those great and August Assemblies were guilty of what the King thought fit to accuse them of, we will not then refuse to be esteemed criminal in all those things which are so maliciously and opprobriously laid upon us. But if they were innocent, notwithstanding all the imputations they were loaded with in a Paper stamp'd with the Royal Authority, and bearing the Credentials of the Regal word and faith; we may then hope that the rational part of Mankind, will do us the right to believe that we are also guiltless of what we are accused of in a Print of the like Nature, and which hath nothing else to give it credence in the world, but that Princely Word which hath forfeited all reputation among men, through its being so often made the support of calumnies and slanders.

And it is no small vindication from the scandal of being Traitors and Parricides wherewith we are aspersed in that Paper, that his Majesty hath been so long and industriously labouring to get us involved under the guilt and ignominy of the same crimes. To what end did his Majesty first suborn and then employ *Dangerfield* and *Fitts-harris*, but to have fastned a conspiracy against his person and Government upon a company of loyal and worthy Gentlemen? And should we not have been represented as infamously to the world as now we are, and suffered the same barbarities which now we do; had not these Forgeries of *Whitehal* against our lives and honor, been by a gracious and wonderful providence discovered before they could take effect? So implacable was the malice of the Court against the Chief Patriots of our Laws and Religion, that the design of ruining us by means of those instruments having miscarried, they immediately applied themselves to find out new Tools,

Tools, whom they might bribe to damn their Soules in order to destroy those who had appeared against Popish Idolatry and French Tyranny. For as it hath been uncontrollably demonstrated elsewhere, that *Fitz-Gerard, Smith, Dugdale &c.* were all hired and suborned, to swear whatsoever his Majesty and Ministers should dictate unto them; so the tendency of that Forged plot wherein these villains were to be witnesses, was to have gotten the principal *Peers and Gentlemen* of the Kingdom condemned for having designed to *seize the King and alter the Government*. And by all the Lines and Features of the present plot, for which we are defam'd, proscrib'd and murder'd; it evidently appears to have been anvil'd on the same Forge, and to come out of the same Shop, where the other was form'd. So carefull have all wise Nations been to prevent the danger, which the Reputation and Lives of men might be brought into by a false Testimony; that the very proposing a reward whereby to influence one to be a witness, made him that did it obnoxious to the *Cornelian Law*. And when the punishment which that Law adjudged Transgressors unto, was found too small to restrain and terrify Calumniators; it was appointed by the *Memmian Law*, that they should be *branded and stigmatised* in the forehead. But the world still degenerating, and men growing daily more inclinable to all kind of wickedness; it was at last ordained, that Calumniators and false Accusers should be made subject to *Lex Talionis*, and undergoe the same punishment which they designed to bring others unto. And which shews the necessity as well as proclaymes the justice of such a procedure; the Divine *Legislator* made it one of the *Statutes* which he prescribed for the Government of the Judaick Commonwealth. Had we but enjoy'd the benefite of any of these Laws, or at least obtained the having inflicted upon *Suborners, Calumniators and Falsaries*, what our own Common and statute Laws render such Enemies of mankind and Pests of Societies lyabl unto; we had not only escaped the present sufferings which we are brought under by means of Subornation and perjury, but the greatest of our enemies at *Whitchehal* had long are this born more distinguishing marks about them, and stood *desiphered* by more dishonorable and reproachful *Symptom's*, than any which they have been pleased to describe some Gentlemen

See the three parts of No-  
Tristram  
plot.

Vid. Matth.  
ad lib. 48. di-  
gest. T. 7.

Vide Cic. pro  
Rofe.

Vide Matth. ad  
lib. 48. digest.  
T. 12.

Deut. 19. 16.  
17, 18, 19.

their Gazetts by. How disagreeabl<sup>e</sup> is it to all the Rules and measures whereby men use to regulate and govern themselves, that they should be believed in the accusations they fasten upon us, who have been found so often to calumniate, and have so frequently conspired to destroy us by forged crimes. And as all persons, who have either a grain of sense or honesty, do absolve us from the least tincture of guilt in relation to those former plots, being convinced in their consciences that they were all framed by the Court; so we would hope that according to the Laws of equity and justice, they will entertain the same opinion of this, and account us innocent from the guilt of it.

Nor can our innocency be made better appear to the world in relation to this plot whereof we stand now accused, than by their charging us, with the being guilty of *Tumults* and *Riots*; antecedently to our entering upon and undertaking this pretended conspiracy. For as they can mean nothing by these *Riots* and *Tumults*, but the carriage of the Citizens in *Guildhall* at the Election of *Sheriffs* for the year 1683. so there could be nothing more remote from the demerit of that imputation, than the whole manage and conduct of that affaire was upon the part of them that stood accused. Those of the Livery who challenged the benefit of their Priviledg and Right of Electing two Sheriffs, were observed by all Spectator's that were impartial, to have behaved themselves with wonderful civility, peaceableness and modesty. Only Sr. *John More* then Lord Major, was pleased to assume an illegal and Arbitrary power over the Hall, and because some Citizens did require that they might be allowed what belonged unto them by their Charters and immemorial Custom's, he was pleased at the instigation of the Kings Ministers to stile it a Riot, and get them indicted for it. The Major is so far from having an Authority and power by Law to chuse a Sherif or so much as Govern the Common Hall in their election; that he is not an essential constituent part of that Assembly. For as Common Halls have been sometimes held without him; so all that belongs unto him when he is present, is only a single vote, which is no more than every Member may rightfully challeng. But there being at that time one who is a  
knave



knave as well fool in the chair, his Majesty thought fit to give us an Essay of his Despotical and tyrannous Rule, in the Arbitrary and illegal proceedings of my Lord Major. For at the same time that the Nonsensical *Pop* and perjured Villain, had usurped a power to appoint one Sheriff, and was challenging a Negative upon the Hall in the Election of the other; he not only acknowledged to diversify the injustice of his actings, but sought to transfer the blame upon the King and his Ministers, who (as he affirmed) had threatned to ruine him if he did it not. Whosoever observed his Majesties interesting himself in that affair, with the same zeal as if his three Crowns had lyen at stake; might easily foresee that it was in subserviency to other designs which he had been plotting and contriving. For having designed to destroy under a form of Law, such persons as stood most in the way to hinder the introduction of Popery and Tyranny, he resolved to obtrude those upon the City for Sheriffs, who would impannel and return juries every way principled to find innocent persons guilty of what crimes soever his Majesty should think meet to have them accused off. And it is our honor as well as our vindication under all our sufferings for this pretended plot; that none but such who swore a *Riot* at *Guild-hall* on Midsummer day 1682, and afterwards found harmless Gentlemen (who did nothing there but their duty) guilty of it; have given credit to this conspiracy, or found Bills against persons for it. And we are willing upon these two points, to make all the unbias'd part of Mankind judges betwixt the Court and us, at whose dore this Conspiracy ought to be layd; namely on whose side the illegal proceedings were at that Election, and by whom the disturbances were occasioned which arose in that Assembly.

Nor is there any better way of judging upon whom this plot ought in justice to be charged, than impartially to consider whose Ends are most served and promoted by it. For as it must be acknowledged that either we have conspired against the King, or that He and his dearly beloved Brother have conspired against us; so that which remains to be decided, is whether the reproach and guilt of this conspiracy is to be lay'd upon them or to be imputed unto us. And if either the compassing Revenge, or the advancing interest,

can serve to the determining this Controversie; we must infallibly be acquitted and discharged, and his Majesty with his Brother and Ministers stand convicted and cast. For as to the gratifying of their Revenge, which is one of the sweetest and most delightful things in the world to Princes; how evidently doth this manifest it self in all the principal persons whom they have either seized or proscribed. If any man will do himself that right, as to call them over in his own mind, they will be found to be such as have appeared in their several stations for the exclusion of the *Duke of York*, and who upon all occasions have witnessed a zeal for the Protestant Religion and the Laws of England. So that upon this *Topick*, the present prosecution of so many Gentlemen, ariseth not from any guilt on their part, but from Malice and Revenge on the Kings and his Brothers. And as to the other *medium*, namely whose interest was most likely to be promoted by a protestant plot, and by consequence who ought to be charged with the present conspiracy. It is demonstrabl<sup>e</sup> that as we could not rationally propound unto our selves the serving of ours, so it is most certain there could not be a more probabl<sup>e</sup> or effectual means in the world to advance theirs. For as the two things which the Court hath for several years so industriously pursued, were the damping and stifling the belief of a Popish plot, and the destroying those who withstood the introducing Idolatry and Tyranny; so the shamming a plot upon those Gentlemen whom they have accused, and the obtaining their being thought guilty of a design against the Kings person and the established Government, was admirably shapen to the compassing these two Ends. In reference to the first, they hop'd not only by this means to stifle the noise of a Popish plot, through putting the Nation upon a false scent; but they reckoned hereby to perswad an easie and credulous people, that there never was any such thing as a conspiracy of the Papists, but that it was only counterfeited by us to conceal a real one of our own. And as to the second, is it not obvious that the persons apprehended and prosecuted upon this pretended plot, are not such who through weakness of understanding or narrowness of Fortune were likely to be in such a design, but they have singled out the chiefest men of principles, Quality and Estate, as if they would tell the world that the King  
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and his Brother were the Framers of this plot, and that they have calculated it for the destruction of those whom they fear opposition from, in their bringing in of Popery and Arbitrary Government. And as the forging a Protestant plot was the most probable way in the world to serve the interest of the *King* and *Duke of York*, especially having made sure of juries before hand to their turn; so for Protestants to have been the Authors of a real one was to have engaged in a designe the most destructive to their interest that could be thought of. And as his Majesty hath been pleased to lay it, we must not only have been in a fever but stark mad, should we have embark'd in an enterprise so directly repugnant to our hopes as well as subversive of our enjoyments. What could be more ridiculous, than for the *Duke of Monmouth* to conspire against Monarchy, who both by his own merit and his interest in the love of the people, (not to speak at present of his legal Title) hath so fair an expectation of the Crown? Nor could the *Earl of Essex*, My Lord *Gray*, My Lord *Russel*, My Lord *Brandon*, Mr. *Booth* be in a plot for altering the Government, wherein they had a great and hereditary share, unless we admit at the same time that they were entred into a conspiracy against themselves and their posterity. And whosoever can believe that they were in such a plot, must acknowledge that they were fitter for Bedlam than the Tower, and instead of being proceeded against as Traitors, ought to have been dealt with as Fools or as persons that were distracted.

And if we do but observe the *Time* and *Date* to which the King in his *Declaration* hath adjusted the Rise and Beginning of this conspiracy, it will be yet more evident to all impartial men that the Guilt and infamy of it ought to be transferred from us, and to be layd upon his Majesty and his Brother. For whereas he is pleased to tell the world, *that about the beginning of October last, when the Heads of the Faction saw the Magistracy of London seized in persons* *Declaration July 27. 1683.* *of loyal principles, they fell immediately to consult of rising in Arms;* is it not in effect as if he told us, that having then obtained Sheriffs for his Turn, was the season to spring a Sham plot upon Protestants, and thereby destroy those whom he either bore a peculiar hatred unto, or apprehended to stand most in the way of his

Popish and Arbitrary designs. Seeing had we intended an insurrection against the Government, it had been attempted with more probability of Success while the *potestas Londini* was in other hands. And the omitting to lay hold on such an opportunity, may serve to assure the world that no such thing was likely to find a room in our thoughts. For if we despaired of the concurrence of the former Sheriffs in such an attempt, we could expect no less than the utmost opposition from those that succeeded. Nor are we so weary of our lives as to throw them away, meerly to gratify and advantage our Enemies, tho in the mean time we are not so fond of them, as to decline venturing them when the saving our Countrey requires it, and there may be a probability of success.

And as we are highly obliged to his Majesty for determining the first commencement of this pretended plot *to the beginning of the last October*; so from the justification which herein he vouchsafes us from all the treasonable conspiracies whereof we were accused before, we hope the world will be perswaded of our innocency in reference to this wherewith we are now charged and slander'd. *For if the Heads of the Faction fell not to consult of rising in Arms, till about the beginning of October last, that the Magistracy of London was seized in persons of loyal principles:* what is then become of the plot *for seizing the King at Oxford*, for which diverse were imprisoned, and poor Colledg condemned and executed Were we not charged with that as well as will this, and were there not as many witnesses produced to prove the one, as do hitherto appear on the Stage to confirm the other? And if all was but Shamm and Slander then; ought we not from thence to conclude, that there is nothing but *Fission* supported with malice in whatsoever is alledged against us now.

Nor can any man be justly offended, if to the Word, Faith and Authority of the King in his *Declaration* where he asperseth so many of his Subjects with a conspiracy against his person and Government, we oppose the Testimony and Dying words of My Lord *Russel*, who tho not of the quality and rank of Monarchs, may yet without any disparagement to his Majesty be put in the balance.

ballance with him for Truth and Sincerity. That pious and excellent person whom no motive nor interest could ever byaz to tell a falsehood, takes it upon his death, *that he never had any design against the Kings life, or the life of any man, and that he was never in any contrivance of altering the Government.* Blessed Soul! tho' it was thy misfortune to fall a *victim* to Popish rage, yet thou hast both left thy own innocency transparent in the view of all the world, and bequeathed a vindication unto thy friends of their being guiltless as to what they are accused off. And as if suborned witnesses and a pack'd jury had not been enough to compass thy illegal and untimely fall, they murdered *Essex* in the morning, that by emboldning the one to swear largely, and the other to believe as easily and rashly, they might facilitate thy condemnation in the afternoon. Heaven and Earth hear the cry of thy blood; nor can less than that of thine Enemies make expiation for it.

And as that part of the plot which refers to *rising in Arms for the Alteration of the Government*, appears plainly to have been forged by the Court; so the other part which relates to a Design of *Assassinating the King* seem's more improbable and *Romantick*. For can it be thought that any should be so far insatuated as to Murder the Father, and at the same time resolve to set up the Son? Who besides the obligation of nature which he would have been under to have avenged it upon the Assassins, must have judged himself tyed in the bonds of honor, interest and safety, not to suffer an example, so dangerous to all Princes, and subversive of Societies, to escape with impunity. And according to the *Scheme* which his Majesty gives of the manner in which that Fact was to have been committed; there could be nothing more ridiculous as well as fuller of hazard, than in such a way to attempt it. Who can believe that fourty well mounted and armed persons, should think of marching twentie mile so neer the City and in a publick road, and not be observed and give occasion of alarming Town and Country? Had they entertained thoughts of that kind, they could have found oportunities of doing it both with less danger to themselves, and more certainty of accomplishing the Fact. How easie had it been for two or three resolved men, to have way'layd



his Majesty in his going to a Wench, where (touse Mr. *Wes's* phrase) *as he would have died more truly in his calling, than at a Play-house*, so there were none but two old *Chair-men* to have been encountred in the attempt. But nothing doth more evidently demonstrate, that all this part of the plot is forged by the Court, than their causing *New-Mercat* to be fired, that they might have a justifiabl<sup>e</sup> pretence of returning before the time that this Sham Murder was calculated to have been designed. For that *Fire* was not accidental, nor an effect of providence watching over the lives of Crowned Heads; but it was the fruite of contrivance and the result of malice against innocent Subjects, for whose ruine they had layd that hellish snare. Nor is it unworthy of remark, that against the very night they had fram'd and layd the insurrection in *November* to have been, they took care to have a great part of *Wapping* burnt down; hop'ing that some Tumult being occasioned by that Conflagration, they might have been enabled to bring an Argument from thence in confirmation of that plot; which themselves had contrived with a purpose of turning it upon us. For according to the two parts of the Popish Conspiracy, which were to have murdered the King, and made an insurrection for altering the Government; were we to be charged with Crimes of the like infamy and guilt.

But possibly his Majesty doth in that *Declaration* rather publish what he is conscious that himself and his Brother have deserved from the people, than that he could suppose the persons whom he there chargeth, would be thought guilty of what he accuseth them. Nor hath there been any thing more usual in all ages, than for Tyrannous Princes to improve the jealousies which their own guilt fills them withal, into accusations of their innocent Subjects, as if they should design what themselves do only inwardly fear. But tho we have reason to be very sensibl<sup>e</sup> of his Majesties and Brothers demerite, yet they must forgive us, if we seek not to vindicate our selves in those sneaking and ungenerous way's of their prescribing. For there are Method's enough that are manly as well as legal, wherein when it is convenient we may do our selves right, and bring his dearly beloved Brother and Ministers to justice. Nor

is it a small provocation to a gallant people, to be reduced into such circumstances and straits, that safety is no longer to be had in remaining loyal and innocent, but that if they would escape with their lives and consciences, they must at last think of preserving them by other kinds of defence. For besides our being tyrannised over and enslaved, there is this ingredient more in our misery and vassalage, that we dar not lament our condition, nor complain to one another of our wretched Estate. For it may be boldly affirmed, that the most plausible pretence which the Court hath against any of those Nobl, Worthy and honest Gentlemen whom they prosecute upon this forged plot, is that they may have discouraged with sorrow and regret together about the Grievances of the Nation, and by what lawful way's they might be best redressed. Nor were it to be wondred at, if great oppressions beget such recentments and discontents, as may vent themselves sometimes in angry Expressions. For as *Charles the first* say's in his answer to the 19. Propositions, *non can think that the Law of Obedience toward the King will be secure, when all the Laws of Protection towards the Subject are violated.* But in this our Enemies exceed *Tiberius* in severity, seeing they will not allow us *linguam liberam in Republicâ non liberâ*, that while we quietly wear our chains, we should so much as seek to ease our selves by talking in the ancient stile and language of Freemen. We must not only bear the insupportable yoke prepared for and layd upon our necks, but like *French* Peasants we are to be fond of our slavery, and make it matter of glorying that our Monarch tramples upon us. How miserabl are we made by Arbitrary judges and Armed force? Assemblies of peaceable men met together for no other end but to worship God, are declared to be publick Nuisances; and our Lives are in a time of peace subjected to martial Law. They rob us at once of the Priviledges of Englishmen, and of the Rights of Christians. Because they can not by judicial Sentences condemn us so fast as they desire to the *Gibbet*; they adjudge us in scores and hundreds by *Excommunications to hell*. In a word, we have no *Tenure* left us for our Religion or Beings, but their Will and pleasure. And to discourse with any sensibleness of these things, is to make our selves obnoxious to be accused of plotting to *murder the King* and *Alter the Government*. Nor are they

unprovided of judges, juries and witness, who will damn themselves, to destroy any honest man whom the Court hath a pique at.

But as if it were not enough to have defam'd and slander'd us in their Papers and publick Prints, they strive to obtrude upon the world as an Argument of our guilt, that we have had so much care of ourselves, as to withdraw from their rage and fury. Whereas our Flight doth not proceed from our being criminal, but from the knowledg we have of their bloodthirsty malice. *He is not a wise man, say's Alcibiades, that being accused flay's in hopes to be absolved, when he had an opportunity to escape.* How could we entertain a thought of equity or justice from them, having had so much experience of their boundless and implacabl' rage? Their behaviour in *Scotland* towards the *Earl of Argyle*, was enough to teach persons of Quality and Integrity in *England* what they were to expect, if they once fell in to their hands. Nor needed we any other warning to provide seasonably for our safety, but to call to mind what the *Duke of York* said to the *Scotts Lawyers* in reference to the case of that Loyal and Nobl' person. For being told that there was nothing in what the *Earl of Argyle* had said or done, which could be made criminal by the Law of the Land; his Highness from the good affection which he bears to Protestant Peers, was pleased to reply, *but can it not be wrested to Treason.* We had also learned from an Expression of the King himself, what we were to look for from his Majesties Ministers, (notwithstanding our innocency) if it should have been our Misfortune to come under their power. For when the Cabal, upon a suggestion against the *Duke of Monmouth* as if he had given Countenance to a Riot, would have had him committed to the Tower; the King, who very well knows the temper of his Ministers, was pleased to ask *whether they had resolved to destroy him, and in order therunto sought an opportunity from his confinement.* Great and immortal *Essex* and *Russel*, it was not your Crimes which destroyed you, but together with your vertue and Religion the confidence which you had in the justice of the Government. You perished not through your guilt, but through the malice of your Enemies and your credulity in the Righteousness of the Court. Their murdering you, justifies the discretion  
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and prudence of all those that have withdrawn. But of all men in the world, His Majesty and his Brother have least cause to upbraid Gentlemen for traveling, having had occasion themselves to sojourn so long abroad. And by how much they complained of the injustice of those that caused their Exile; by so much the more ought they to avoide the like injustice towards others. Nor can any thing so much extenuate the guilt and lessen the Crime of those who drove them out of three Kingdoms, as the Nation's finding upon their being restored, that no man who is faithful to God and his Countrey, can be permitted to live safely in his Majesties Dominions.

But I must here put an End to this Discourse, wherein if there be any thing offensive, none is to be accountable for it but the Author. Who as he hath written it without communication with any; so none ought to undergoe the indignation of the Court for it but himself. Nor is there any thing here that can offend just and merciful Princes, seeing by how much Tyrants are exposed and detested, by so much are Temperate and Righteous Monarchs commended and praised. The detecting Oppressors does no more affect Good Rulers; than the prosecuting Robbers and Banditi, is to impeach vertuous and honest men. Neither ought his Majesty and Brother who have taken so much satisfaction and pleasure in committing what is here recounted; be provoked either at the hearing them themselves, or that their Subjects should come to know the principles and practices of their Rulers, and thereby learn upon what grounds they are to honor and obey them. If it was no reproach but a credit to *Suetonius*, that he wrote the Lives of the 12. Cæsars with the same liberty and freedom that they led them; I hope it will not be taken amiss in me; that I have endeavoured to imitate so worthy a patern, especially having had before me the life of a Prince who comes not short of *Tiberius* in dissimulation, of *Nero* in sensualities, and so far as his power, extends falls behind none of the twelf in murders and cruelties. The only fault I am sensible of, is that I have not yet done his Majesty and the Duke of York that Right which they deserve, nor fully payd them the service which I owe them. For I have not only past by all the invasions

